

Planned Development Zoning General Development Plan Downtown West

San Jose, California



Figure 1.01.1 Project Location Map

- Legend
- Dashed blue line: Downtown Boundary
 - Orange hatched area: Downtown West Project Boundary
 - Green outline: Diridon Station Area Plan Boundary
 - Red outline: Project Proposed Diridon Station Area Plan Boundary



Project Team

Project sponsor

Google LLC

Development Manager

Lendlease

Design + Consultant Team

SITELAB urban studio: Urban Design

Heatherwick Studio: Architecture

Grimshaw Architects: Architecture

Kohn Pedersen Fox Associates (KPF): Architecture

Fougeron Architecture: Architecture

Solomon Cordwell Buenz (SCB): Architecture

SHoP Architects: Architecture

Architectural Resources Group (ARG): Historic Resources

West 8: Landscape Design

Sherwood Design Engineers : Civil and Infrastructure

HMH Engineers: Civil

H.T. Harvey & Associates: Ecology

San Francisco Estuary Institute (SFEI): Ecology

Integral Group: Design Analytics

David J Powers: Environmental

Kier & Wright: Surveyor

Prior + Partners: Urban Design and Station Integration

ARUP: Rail, Transportation, and Sustainability

Nelson\Nygaard: Transportation

Johnson Aviation: Aviation

Applied Wayfinding: Signage

Schaaf & Wheeler: Hydrology

General Plan Designations

- Downtown
- Commercial Downtown

Existing Zoning Districts

- Light Industrial
- Heavy Industrial
- Industrial Park
- Commercial Neighborhood
- Commercial General
- Downtown Primary Commercial
- Public
- Combined Industrial/Commercial
- Planned Development

Zoning District

- DC (PD) Planned Development Zoning District

Site Area

Table 1.01.1 Site Area

	Proposed ¹
Buildable Area	41.2 ac
Open Space and Setbacks	15.0 ac
Other ²	24.8 ac
Total	81.0 ac

NOTES:

- All site areas are approximate, and rounded to the nearest 0.1 acre.
- Other categories include new and existing streets, and existing rail.

Development Program

Table 1.01.2 Development Program

Uses	Maximum Development
Residential	Up to 5900 units
Office	Up to 7,300,000 gross square feet
Active Uses	Up to 500,000 gross square feet
Hotel	Up to 300 rooms
Limited-Term Corporate Accommodations	Up to 800 rooms
Event Center(s)	Up to 100,000 gross square feet
Central Utilities Plant(s)	Up to 130,000 gross square feet
Logistics/Warehouse	Up to 100,000 gross square feet
Off-Street Parking	
Public and/or Commercial Parking	Up to 4,800 stalls
Residential Parking	Up to 2,360 stalls
Total Parking	Up to 7,160 stalls

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1.01

Project Description
Downtown West Mixed-Use Plan

10/07/2020

Downtown West Planned Development Zoning District

The Downtown West PD Zoning District consists of approximately 81 acres and is generally bounded by Lenzen Avenue and the Union Pacific Railroad (UPRR) tracks to the north; North Montgomery Street, Los Gatos Creek, the Guadalupe River, South Autumn Street, and Royal Avenue to the east; Auzerais Avenue to the south; and Diridon Station and the Caltrain rail tracks to the west. Cahill Street fronts Diridon Station and runs generally parallel to the rail tracks in the project's central area. The Project does not include property owned by Caltrain, located between Cahill Street and South Montgomery Street, and West San Fernando Street and Post Street. The boundaries of the Downtown West Zoning District are generally shown on Figure 2.01.1.

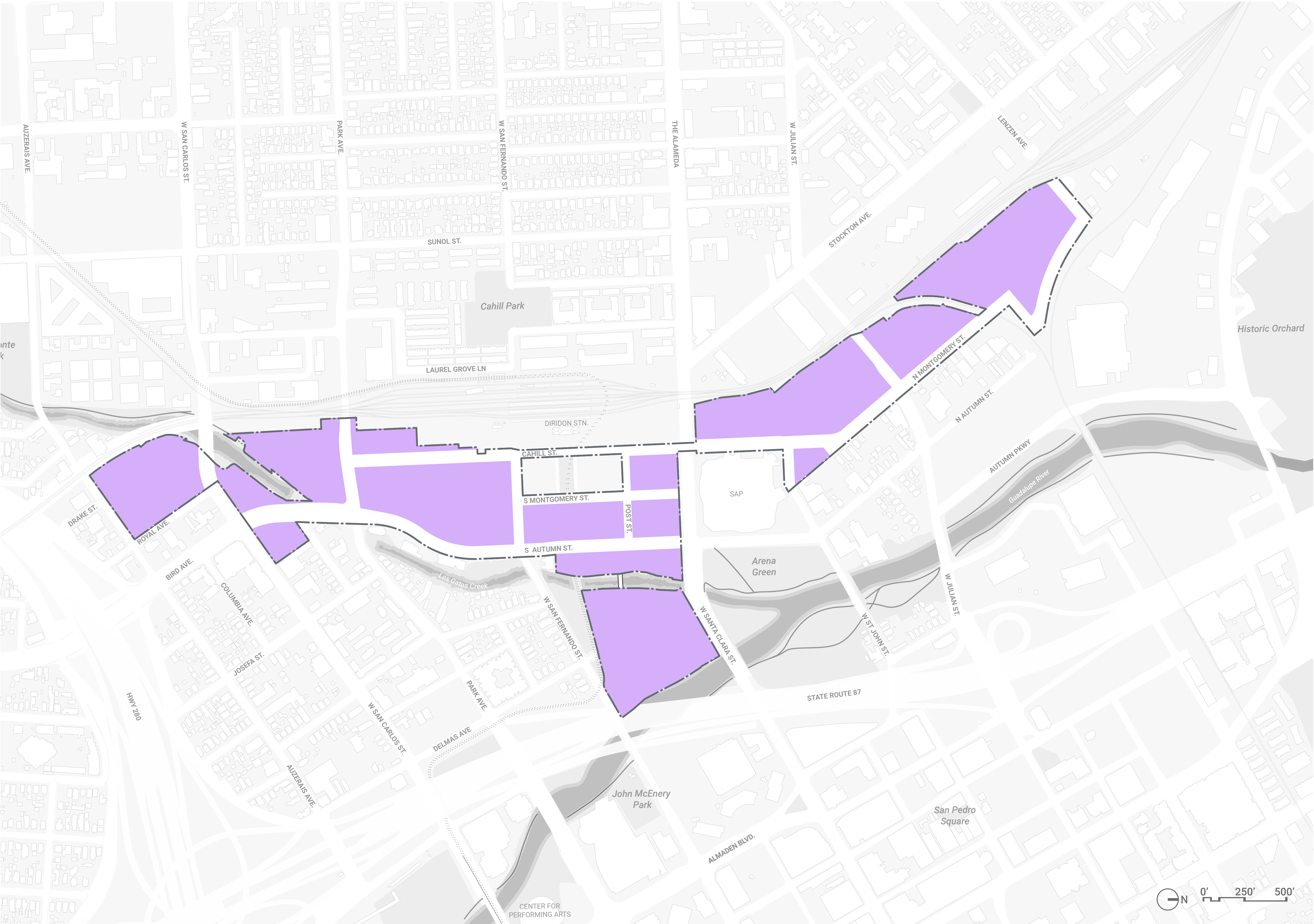


Figure 2.01.1 Proposed Zoning District

- Legend**
- Project Boundary
 - DC (PD) Planned Development Zoning District

Note:

1. Figure 2.01.1 generally depicts the areas subject to the PD Zoning District. If the existing public right-of-way, as generally depicted on Figure 2.01.1, is narrowed during development of Downtown West, the additional lands made available for development through the narrowing of the existing public right-of-way shall be zoned Downtown Commercial (PD) consistent with the immediately adjacent development lands.

Sub-Area Boundaries

A planned development zoning district is effectuated by a planned development permit issued in conformity with a general development plan. On [Date], City Council approved the Downtown West Planned Development Permit (Downtown West PD Permit), which consists of the Downtown West Design Standards and Guidelines (DWDSG), the Downtown West Improvement Standards (DWIS), and Conceptual Infrastructure Plan Sheets. The PD Permit conforms to the requirements of the Downtown West PD Zoning District. The Downtown West PD Permit covers approximately 79 acres of the Downtown West PD Zoning District and excludes the approximately 2 acre area shown on Figure 3.01.1 and referred to as “Sub-Area 2” in this General Development Plan.

Figure 3.01.1 depicts the area that is subject to the Downtown West PD Permit (Sub-Area 1) and the area that is not covered under the Downtown West PD Permit (Sub-Area 2). Development within Sub-Area 2 shall be subject to the requirements of the base zoning district DC (Downtown Commercial) until the issuance of a Planned Development Permit for Sub-Area 2. A Planned Development Permit for Sub-Area 2 shall be in compliance with this Downtown West General Development Plan, including the specific development standards applicable to Sub-Area 2 set forth on Sheet 3.02.

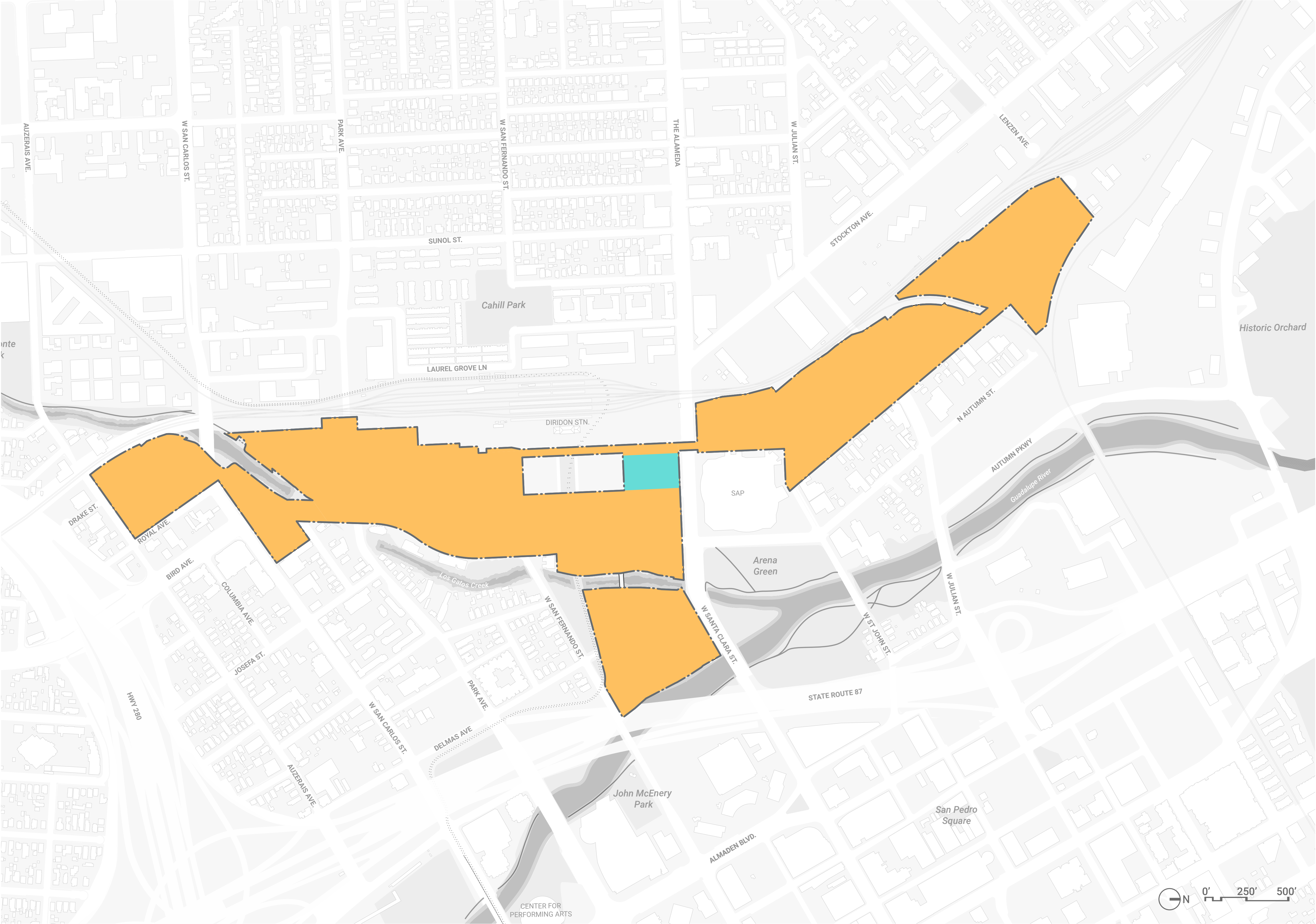


Figure 3.01.1 Illustrative Sub-Area Map

- Legend**
- Site Boundary
 - Sub-Area 1
 - Sub-Area 2

Development Standards

Development within Sub-Area 1 of the Downtown West PD Zoning District shall conform to the Downtown West PD Permit. The DWDSG was approved as part of the Downtown West PD Permit and regulates development within Sub-Area 1.

A subsequent PD Permit for Sub-Area 2 would be required to implement the Downtown West PD Zoning District as to Sub-Area 2.

Subsequent amendments to provisions of the San Jose Municipal Code that relate to development standards identified in Sheet 3.02 (which include Titles 11, 13, 14, 19, 20, 21 and 23) and result in additional or modified development standards following the enactment of the Downtown West PD Zoning District may be permitted to apply to property within the Downtown West PD Zoning District subject to a request by the project sponsor pursuant to the terms of any Development Agreement for the Downtown West Mixed-Use Plan. The project sponsor may request that an additional or modified development standard apply to the Downtown West PD Zoning District during the Zoning / Design Conformance Review process.

Setbacks

The setbacks shall meet the following minimum requirements:

Table 3.02.1 Required Setbacks

Frontage	Required Setback
Street	None Required
Open Space	None Required
Los Gatos Creek Riparian Setback	Development of new structures along Los Gatos Creek is prohibited within the 50-foot riparian setback. A riparian setback is the limitation of new construction within a certain distance from a riparian corridor and is measured from the edge of the riparian corridor, which is defined as top of bank or edge of existing riparian canopy, whichever is greater. Downtown West maintains a 50-foot riparian setback from the Los Gatos Creek Riparian Corridor edge, consistent with the Riparian Corridor Policy Study Guideline 1C and Policy 6-34 Section -A. The rehabilitation of existing buildings or construction of new development within the existing footprints shall be permitted within the 50-foot riparian setback pursuant to the DWDSG. Allowable land uses and design standards applicable to the Los Gatos Riparian Setback and adjacent areas are further set forth in the DWDSG.
Guadalupe River Riparian Setback	Downtown West maintains a 30-foot riparian setback, from the top of Top of Channel (TOC) wall between West San Fernando Street and West Santa Clara Street along the Guadalupe River, consistent with the previously approved PD Zoning PDC15-051. Development of new structures for Guadalupe River is prohibited within the 30-foot riparian setback. The rehabilitation of the existing building located at 374 West Santa Clara Street, or construction of new development within the footprint of the existing building is permitted pursuant to the DWDSG. Allowable land uses and design standards applicable to the Guadalupe River Riparian Setback and adjacent areas are further set forth in the DWDSG.

Specific Development Standards Made Applicable to Sub-Area 2 Through This GDP

In addition to the other requirements of this General Development Plan, any subsequent Planned Development Permit for Sub-Area 2 shall conform to the development standards listed below. This section does not apply to Sub-Area 1. The specific development standards applicable to Sub-Area 1 are as described in the PD Permit.

- Active use frontage.** Active uses—including uses denoted in Table 4.01.1—shall be required, at minimum, along 30 percent of the ground floor frontage facing South Montgomery Street and 30 percent of the cumulative frontage facing Cahill Street and West Santa Clara Street, with a prioritization for active uses on Cahill.

- Active use transparency.** Active use facades—including uses denoted in Table 4.01.1 — between three feet and 12 feet above sidewalk grade shall have a minimum of 70 percent facade area transparency. Glazing units with Visible Light Transmittance (VLT) factor less than 60 percent shall not count toward meeting the required transparent area.
- Ground floor setbacks.** Ground floor facade setbacks shall not exceed a depth greater than one-third of the height of the setback. Transit station frontage shall be exempt from this standard.
- Loading and service access.** Off-street building loading or parking access shall be prohibited from Cahill Street, S. Montgomery Street, and W. Santa Clara Street.
- Podium level preferred materials.** Preferred materials shall be applied to a minimum of 20 percent of the podium level—up to 70 feet as defined in the DDG—facade area facing Cahill Street, West Santa Clara Street, and South Montgomery Street. Preferred materials shall include wood, earthen materials, metals, and cementitious materials. Material applications shall be architecturally articulated with a minimum depth to adjacent materials of a minimum of nine inches.
- Skyline level separation.** Skyline level—above 70 feet as defined in the DDG—facades and balconies along South Montgomery Street that exceed 100 feet in width and 50 percent fenestration shall stepback 20 feet from the property line.
- Occupiable projections.** Occupiable projections including balconies and bay windows in the podium and skyline levels shall be permitted up to six horizontal feet beyond the property line along the north and west property lines. Any individual occupiable projection shall not exceed 150 square feet with a minimum horizontal spacing no less than 50 percent of the widest adjacent projection. Individual projections and spacing shall be measured by level.
- High reflective roof materials.** Buildings shall include roof materials with high albedo (reflectivity) minimum of 0.65 to ensure the least possible heat retention.
- Residential parking.** Residential parking shall be limited to 0.25 spaces/unit and shall not exceed a total of 125 spaces, which shall count towards the 2,360 maximum number of residential parking spaces permitted within the Downtown West PD Zoning District.

Downtown West Improvement Standards

Improvements within the Downtown West PD Zoning District, including street and utility infrastructure (e.g., drainage, sanitary sewer and other utility facilities as described in Chapter 19.36 of the San José Municipal Code) required to be completed as a condition of approval of any subdivision map, shall be evaluated for consistency with the Downtown West Improvement Standards approved as part of the Downtown West PD Permit. The Downtown West Improvement Standards shall be deemed to supersede any conflicting provisions relating to improvements described in Chapter 19.36 of the San José Municipal Code or any City standard specifications.

Building Heights

Maximum allowable heights shall be those established by FAA regulations as shown in Table 3.02.2, and for Sub-Area 1, shown in Figure 5.12 of the DWDSG, which are translated into above ground level (AGL) limits in Section 5.6 of the DWDSG. Project grading could result in allowable heights in excess of the AGL limits referenced in the DWDSG, but heights for Sub-Areas 1 and 2 shall in all cases remain within FAA limits and subject to final FAA Notice of Determination established through completion of 7460 Part 1.

Maximum building heights for individual buildings in the Downtown West PD Zoning District may be increased without amendment to this General Development Plan provided that: (a) such increase correlates to an increase in maximum allowable height authorized by the FAA and approved by City Council following Santa Clara County Airport Land Use Commission review, if applicable; and (b) the Director of Planning, Building and Code Enforcement (PBCE) conducts environmental review of the building’s proposed height increase to determine compliance under CEQA. Documentation of any height increase pursuant to this section shall be through the Zoning / Design Conformance Review process described on Sheet 8.01.

Table 3.02.2 Permissible Building Heights by Sub-Area

Sub-Area Maximum Building Height	Maximum Building Height (Above Ground Level)
Sub-Area 1	See Section 5.6 of the DWDSG
Sub-Area 2	Up to 245 feet (Above Ground Level)

Minimum Lot Size and Dimensions

Each lot shall contain a minimum area of not less than 6,000 square feet with an average width of not less than 50 feet. Lots located between South Autumn Street, West Santa Clara Street, Los Gatos Creek, and West San Fernando Street shall be exempt from minimum lot size requirement, but shall not be reduced in size to less than existing building footprints.

Parking

The Downtown West PD Zoning District shall provide up to 2,360 residential parking spaces and up to 4,800 commercial parking spaces across the site. Parking may be located for each building anywhere within the Downtown West PD Zoning District in shared parking garages and is not restricted by parcel. District parking strategies that combine parking from multiple blocks in one location, is permitted for both residential and commercial parking and parking supply shall be counted at the district level and not for the block in which it is located.

The maximum number of commercial and/or residential parking spaces in the Downtown West PD Zoning District may be increased without amendment to this General Development Plan provided that the Director of PBCE conducts environmental review under CEQA to determine whether increasing the number of commercial and/or residential parking spaces will require preparation of an addendum or additional CEQA document. Documentation of any parking increase pursuant to this section shall be through the Downtown West PD Zoning / Design Conformance Review process described on Sheet 8.01.

Commercial/Public Parking: Commercial/public parking is limited up to 4,800 spaces. A minimum of 2,850 commercial/public parking spaces shall be provided within the Zoning District. Alternative parking arrangements on and off-site are permitted to achieve up to the maximum count.

Residential Parking: Residential parking is limited to 2,360 spaces which shall be allocated to the first 5,000 units built within the Downtown West PD Zoning District. Residential parking is permitted to be shared with other uses.

Residential parking will be provided concurrently with phased development. Table 3.02.3 identifies the allocation of parking spaces and corresponding parking ratio by quantity of units delivered for market-rate and inclusionary units. Parking shall meet the size requirement of the San Jose Zoning Ordinance (as amended). The target number of parking spaces and parking ratio identified in Table 3.02.3 for market rate/inclusionary residential parking and the parking ratio identified for land dedicated to below market rate residential parking in Table 3.02.4 shall only apply to Sub-Area 1.

Table 3.02.3 Market Rate/Inclusionary Residential Parking

Phase	Target Number of Parking Spaces	Target Parking Ratio
Units []	[]	0.81
Units [] - []	[]	0.46
Units [] - []	[]	0.16
Units 5,001 and above	[]	0 (see text)

The number of market-rate and inclusionary residential parking spaces and corresponding parking ratio identified for in Table 3.02.3 is to allow development in the Downtown West PD Zoning District to respond to potential unavailability of land, fluctuation in demand for building types, allowable changes to phasing, and related considerations, while still advancing the General Plan’s and General Development Plan’s key goals and objectives. Therefore, any unused parking spaces may be transferred to future units with a corresponding reduction in the number of market-rate parking spaces and corresponding parking ratio in the contributing unit range without amendment to this General Development Plan.

Table 3.02.4 identifies the allocation of parking spaces and corresponding parking ratio for below market rate units within the Downtown West PD Zoning District.

Table 3.02.4 Land Dedicated to Below Market Rate Residential Parking

Residential parking spaces for land dedicated below market rate units shall be limited to [] spaces and a ratio of 0.25 space / unit.

Any unused parking spaces for land dedicated below market rate units may be transferred to market rate residential units without amendment to this General Development Plan so long as the transfer does not result in exceedance of the maximum of 2,360 residential parking spaces in the Downtown West PD Zoning District.

Bicycle Parking: Bicycle parking will be provided in accordance with Municipal Code Section 20.90.060.

Maintenance Responsibility

Maintenance of landscaping and street trees located within the public right-of-way may be assigned pursuant to the Downtown West Development Agreement, a major encroachment agreement, or similar instrument to a community facilities district, landscape and lighting district, or homeowners or commercial property association.

Environmental Mitigation Measures and Conditions of Approval

Development in the Downtown West PD Zoning District shall be implemented in a manner that comports with the Mitigation Monitoring and Reporting Program (MMRP) approved by City Council on [Date] for the Downtown West Mixed-Use Project and with any conditions of approval imposed in connection with approval of the Downtown West PD Permit.

Easements

The Project includes publicly-dedicated easements (“Public Easements”) and other privately-owned areas subject to limited rights of access for specific purposes that will be created through covenants, declarations or easements concerning only property owners (“Private Easements”), which include, for example, Mid-Block Passages and project sponsor owned open space. Public Easements and certain Private Easements will be shown in their approximate locations on tentative maps and vesting tentative maps. Final Locations of Public Easements will be shown on Phased Final Maps, and the Public Easements will be dedicated to the City under Title 19 of the Municipal Code and related provisions of State law. The final locations of Private Easements will be established through covenants, declarations or easements recorded subsequent to the approval of associated phased final maps.

Maximum Allowable Development

This Downtown West PD Zoning District establishes both the maximum allowable development within the Downtown West PD Zoning District overall and the maximum allowable development, subject to allowed transfers described below, within each Sub-Area.

Maximum Allowable Development in Downtown West PD Zoning District

The maximum allowable development permitted in the Downtown West PD Zoning District is identified in Table 3.03.1. These maximums shall not be exceeded without amendment to the Downtown West PD Zoning District unless authorized through an approved conversion. The maximum allowable development in each Sub-Area is identified in Table 3.03.2 and shall not be exceeded without amendment to the Downtown West PD Zoning District unless authorized through an approved transfer or conversion.

Table 3.03.1 Maximum Allowable Development in Downtown West PD Zoning District	
Uses	Maximum Development
Residential	Up to 5,900 units (4,838,000 gross square feet)
Office	Up to 7,300,000 gross square feet
Active Uses	Up to 500,000 gross square feet
Hotel	Up to 300 rooms (240,000 gross square feet)
Limited-Term Corporate Accommodations	Up to 800 rooms (640,000 gross square feet)
Event Center(s)	Up to 100,000 gross square feet
Central Utilities Plant(s)	Up to 130,000 gross square feet
Logistics/Warehouse	Up to 100,000 gross square feet

Table 3.03.2 Maximum Allowable Development in Each Sub-Area			
Uses	Sub-Area 1	Sub-Area 2	Total
Residential	5,400 units	500 units	5,900 units
Office	7,300,000 gsf	-	7,300,000 gsf
Active Uses	489,000 gsf	11,000 gsf	500,000 gsf
Hotel	300 rooms	-	300 rooms
Limited-Term Corporate Accommodations	800 rooms	-	800 rooms
Event Center(s)	100,000 gsf	-	100,000 gsf
Central Utilities Plant(s)	130,000 gsf	-	130,000 gsf
Logistics/Warehouse	100,000 gsf	-	100,000 gsf

Note:

- gsf = gross square feet

Allowable Transfers of Residential Units and/or Non-Residential Square Footage Between Sub-Areas

To allow development in the Downtown West PD Zoning District to respond to potential unavailability of land, fluctuation in demand for building types, allowable changes to phasing, and related considerations, while still advancing the General Plan’s and General Development Plan’s key goals and objectives, the maximum number of residential units and maximum non-residential square footage identified for each Sub-Area in Table 3.03.2 may be exceeded through transfer of residential units and/or non-residential square footage, respectively, from other Sub-Areas. Such transfers are authorized by this General Development Plan and shall be approved by the Director of PBCE provided that:

- Compliance with CEQA has been demonstrated and any additional necessary environmental review has been completed in connection with any proposed transfer of residential units or non-residential square footage.
- The transfer does not result in the exceedance of the maximum number of residential units and the total square footage for each non-residential use permitted in the Downtown West PD Zoning District and identified in Table 3.03.1.
- The project sponsor(s) concurrently requests a commensurate reduction in the number of residential units and/or non-residential square footage from any contributing Sub-Area controlled by the project sponsor.
- The written consent to the transfer is provided by the owner(s) of the receiving Sub-Area and the owner(s) of the contributing Sub-Area (if the receiving and contributing Sub-Areas have different owners).
- The project sponsor provides written notice to the Director of PBCE, of the transfer that includes a table demonstrating that the proposed permitted transfer, when combined with development already implemented, approved, or applied for, will not exceed the maximum development square footage limits for the Downtown West PD Zoning District established in Table 3.03.1.

A request for transfer pursuant to this section shall be submitted as part of a Zoning / Design Conformance Review application. If the project sponsor seeks a transfer, it shall include the information identified above with its Zoning / Design Conformance Review application. The Director of PBCE will review the requested transfer as part of the Zoning / Design Conformance review process, which is further described on Sheet 8.01.

In addition to the transfer of residential and non-residential square footage permitted above, upon the earlier of (1) the issuance of a subsequent Planned Development Permit for Sub-Area 2 or (2) issuance of a building permit for Sub-Area 2, any unused development allocated to Sub-Area 2 as identified in Table 3.03.2 shall automatically be transferred to Sub-Area 1.

Allowable Conversion of Land Uses

To allow development in the Downtown West PD Zoning District to respond to potential unavailability of land, fluctuation in demand for building types, allowable changes to phasing, and related considerations, the Director of PBCE, in their reasonable discretion, may approve, without amendment to this General Development Plan and upon compliance with CEQA, conversion of up to 500,000 square feet of one or more land uses allowed under this General Development Plan to one or more different land uses also permitted under this General Development Plan, provided that no conversion shall result in the reduction of Active Uses below 500,000 square feet in aggregate.

Such conversions are authorized by this General Development Plan, subject to the Director of PBCE’s determination that:

- Compliance with CEQA has occurred in connection with the proposed conversion;
- The conversion does not result in a reduction of Active Uses below 500,000 square feet and/or the exceedance of the overall development cap of 13,848,000 gross square feet established in the EIR.
- The project sponsor has identified a commensurate reduction in the total number of residential units and/or non-residential square feet of the original land use(s) that were allowed in the Downtown West PD Zoning District prior to the proposed conversion; and
- The conversion is consistent with the General Plan and advances the goals and objectives of the Downtown West PD Zoning District.
- Any other finding that the Director of PBCE reasonably determines is needed to support the conversion.

A request for a conversion pursuant to this section shall be submitted as part of a Zoning / Design Conformance Review application. If the project sponsor seeks a conversion, it shall include the information identified above with its Zoning / Design Conformance Review application. The Director of PBCE will review the requested conversion as part of the Zoning / Design Conformance Review process as further described on Sheet 8.01.

Land Uses

The Downtown West PD Zoning District contemplates a mix of land uses consisting of the following primary uses: residential, office, active use, limited-term corporate accommodation, hotel, event/conference center, logistics/warehouse and central utilities plant(s), and open space. The DWDSG establishes standards for the location and intensities of such land uses.

Permitted Uses

Uses within the Downtown West PD Zoning District are identified in Table 4.01.1. Consistent with the City of San José’s planning and economic development goals, policies, and objectives for the Downtown Growth Area under the Envision San José 2040 General Plan, the permitted uses are designed to promote and sustain a vibrant urban center. Land uses proposed for a particular building or structure shall be identified as part of the Downtown West PD Zoning / Design Conformance Review and shall be approved if consistent with this General Development Plan, the applicable planned development permit, and the applicable General Plan land use designation.

The Municipal Code definitions of the Permitted Uses identified in Table 4.01.1 shall apply unless defined in this Zoning District. Table 4.01.1 additionally includes new uses not currently included within the Municipal Code. New definitions are identified with a plus (+) in Table 4.01.1 and are further defined below:

- Active Use:** Active uses include commercial retail/restaurant, arts, cultural, live entertainment, community center, institutional, childcare and education, maker spaces, non-profit, and small-format office space. Active Use includes several land uses as denoted under the Active Use heading of Table 4.01.1
- Auditorium:** Space set apart in a public building, such as a school, for the audience.
- Innovation and Maker Space:** An Innovation and Maker Space is a small scale establishment engaged in manufacturing, research and development, product design and light industrial services. Permitted equipment includes, but is not limited to, computers or other related office equipment, woodworking, ceramic, and welding shops, and similar engagements in custom fabrication. Finished, non-combustible products made in the facility may be sold on the premises. One or more floors of the building may include food production and sanitary facilities in conformance with city building standards.
- Limited-Term Corporate Accommodations:** Limited-Term Corporate Accommodations are facilities owned, leased, or made available by a business entity for occupancy by the entity’s officers, employees, consultants, vendors, contractors, or sponsored guests who do not intend to use it as their domicile and who have not entered into a written rental or lease agreement or provided payment in a fixed amount of money to occupy the unit. Occupancy of a Limited-Term Corporate Accommodation shall not be made available to the general public. Occupancy of a Limited-Term Corporate Accommodation by any person shall not exceed sixty (60) consecutive days. Kitchen areas, food services, and other related services pertaining to use of the facilities, including but not limited to cleaning and maintenance, are permitted.
- Event/Conference Center:** An Event/Conference Center is a facility owned, leased, or made available by a business entity for the purpose of events organized or funded by the business entity, including but not limited to product launches/announcements, corporate meetings, conferences, seminars, small conventions, and screenings.
- District Systems:** District Systems is an approach where traditional building-by-building systems are consolidated to supply resources more efficiently from centralized facilities. The District Systems include, but are not limited to heat pumps, geothermal plant, waste water treatment plant, thermal and water storage, automatic waste collection systems, electrical power and communications. The systems are comprised of district-serving equipment in a central utility plant(s) and distribution networks provided within utility corridors (Utilidors). The utilidors provide connections between the central utility plant(s) and buildings/building level connections. The primary central utility plant equipment include chillers, cooling towers, a substation, batteries, generators, transformers, communication hubs, pumps, and tanks.
- Logistics Hub:** Logistics Hubs are private facilities that centralize loading, unloading, and warehousing to facilitate efficient movement of goods throughout the development, with a primary focus on office and retail program. Such a system is expected to consolidate large truck movements and reduce distribution-related traffic.

- Open space accessory buildings:** Open space accessory buildings shall mean a separate building located on open space that predominantly contains active use and which shall not contain living space, sleeping quarters, or storage space for commercial vehicles requiring additional registration fees as provided for in the state vehicle code. An “open space accessory building” may include cooking facilities and plumbing fixtures, such as sinks, bathtubs/showers, or toilets. Water heaters, clothes washers, and clothes dryers are considered appliances and are not considered plumbing fixtures.
- Live entertainment:** A building, building complex, and/or an indoor or outdoor area that provides entertainment, including but not limited to theatrical and musical performances, including live music, the presentation of music played on sound equipment, concerts, and exhibitions.
- Open space:** Open space is defined as City-dedicated and project sponsor-owned , Sheet 6.04.
- Offices, business and administrative (large format):** Large format office use means single-tenant office space to be used by entities that occupy more than 100,000 square feet of aggregate office space within the Downtown West PD Zoning District. Large format office use includes but is not limited to: executive, administrative, professional and related services, and research and development activities, including but not limited to research, design, engineering, testing, scientific research and product design and other similar activities. Large format office use does not include Small format office use which is intended to activate the public realm and is considered an Active Use.
- Offices, business and administrative (small format):** Small format office uses are intended to serve nearby neighborhoods generally located on the ground-floor of mixed-use buildings. Small format office uses are Active Uses. Examples of small format office use include but are not limited to offices within which the following services are provided: real estate, insurance, property management, title companies, investment, personnel, travel, and similar services, and include business offices of public utilities or other activities when the service rendered is a service that is customarily associated with small format office services.

Downtown West Planned Development Zoning District Use Regulations

Table 4.01.1 Downtown West Planned Development Zoning District Use Regulations

RESIDENTIAL	
Residential GP	
Residential shelter	C ^{GP}
Live/work uses	P ^{GP}
Residential, multiple dwelling	P ^{GP}
Co-living community	P ^{GP}
Residential care facility for seven or more persons	C ^{GP}
Residential services facility, for seven or more persons	C ^{GP}
Hotel supportive housing	C ^{GP}
Single room occupancy (SRO) living unit facility	S ^{GP}
Single room occupancy (SRO) residential hotel	S
Residential Accessory Uses GP	
Accessory buildings and accessory structures	P ^{GP}
OFFICE	
Offices and Financial Services	
Offices, business and administrative (large format) +	P
Research and development	P
ACTIVE USES+	
Offices and Financial Services	
Offices, business and administrative (small format) +	P
Automatic teller machine	P
Business support use	P
Financial services	P
Retail bank	P
General Retail	
Alcohol, off-sales - beer and/or wine only	A*/C
Alcohol, off-sales - full range of alcoholic beverages	A*/C
Alcohol, off-sales - as incidental to a winery, brewery, or distillery	A*
Food, beverages, and groceries	P
Outdoor vending	P*/A*
Outdoor vending - fresh fruits and vegetables	P
Retail bakery	P
Retail art studio	P

ACTIVE USES+ (CONTINUED)	
General Retail (Continued)	
Retail sales, goods, and merchandise	P
Seasonal sales	P
Taproom or tasting room in conjunction with a winery, brewery, or distillery	A*
Taproom or tasting room with off-sale of alcohol	A*
Winery, Brewery, Distillery	P
Innovation space and Maker Space+	P
Agriculture	
Certified farmers' market	A*/S
Certified farmers' market, small	P
Education and Training	
Day care center	P
Instructional art studios	P
Private instruction, personal enrichment	P
School, elementary - grades K - 8 (public or private)	C
School, secondary - grades 9 - 12 (public or private)	C
School, post-secondary	P
School, trade and vocational	P
Entertainment and Recreation Related	
Arcade, amusement game	P
Health club, gymnasium	P
Lighting display	A*
Movie theater	P
Live Entertainment+	P*/S
Poolroom/billiards establishment	P
Private club or lodge	P
Recreation commercial/indoor	P
Food Services	
Banquet - facility	P
Caterer	P
Commercial Kitchen	P
Drinking establishments	A*/S
Drinking establishment in conjunction with a winery, brewery, or distillery	A*
Drinking establishments with an approved maximum occupancy load of over 250 persons and that operate between 12:00 midnight and 6:00 a.m.	C
Drinking establishments interior to a full-service hotel or motel with 75 or more guest rooms	P
Public eating establishments	P
Public eating establishment in conjunction with a winery, brewery, or distillery	P
General Services	
Laundromat	P
Maintenance and repair of small household appliances	P
Dry Cleaner	P
Nursery, Plant	P
Personal services	P
Printing and publishing	P
Health and Veterinary Services	
Animal grooming	P
Animal boarding, indoor	P
Emergency ambulance service	C
Hospital/in-patient medical facility	C
Medical or dental clinic/out-patient facility	P
Office, Medical	P
Veterinarian	P
Historic Reuse	
Historic landmark structure reuse	S
Public, Quasi-Public and Assembly Uses	
Church/religious assembly	P
Information center	P
Museums and libraries	P
Short term parking lot for uses or events other than on-site	P
Radio and television studios	P
HOTEL	
General Services	
Bed and breakfast inn	P
Hotel or motel	P
LIMITED-TERM CORPORATE ACCOMMODATIONS	
Limited-term corporate accommodations+	P
EVENT/CONFERENCE CENTER	
Event/conference center+	P
Auditorium+	P*/A*

INFRASTRUCTURE	
District Systems+	P
Recycling Uses	
Reverse vending machine	S
Small collection facility	S
Transportation and Communication	
Community television antenna systems	P
Wireless communications antenna	P
Wireless communications antenna, building mounted	P
Private electrical power generation facility	P
Solar photovoltaic power system	P
Stand-by/backup facilities that do not exceed noise or air standards	P
Temporary stand-by/backup generators	P
Vehicle Related Uses	
Fuel service station or charge station, no incidental service or repair	P
LOGISTICS/WAREHOUSE	
Logistics hub+	P
OPEN SPACE	
Public, Quasi-Public and Assembly Uses	
Parks, playgrounds, or community centers	P
Open space+	P
Open space accessory buildings+	P
Accessory structures	P
Outdoor art	P

Legend

- P Permitted use
- C Conditional use; the shall require approval of a planned development permit.
- S Special use; they shall require approval of a planned development permit.
- ^{GP} Conformance with General Plan land use restrictions for residential
- A Administrative Permit
- A*/ Uses authorized upon issuance of an Administrative Permit that incorporates the applicable conditions of approval identified on Sheet 4.02. If an Administrative Permit is not issued, a Conditional Use Permit or Special Use Permit shall be required as identified in Table 20-140.
- P*/ Uses that are Permitted if the applicable criteria identified on Sheet 4.02 are met. If the applicable criteria on Sheet 4.02 is not met, an Administrative Permit or Special Use Permit shall be required as indicated in the table.
- + New use as defined in permitted uses text on this sheet

Note: In instances when two designations are stated, the asterick shall apply if conditions on Sheet 4.02 are met.

Conditions of Administrative Permits

Uses identified in Table 4.01.1 with A* shall be permitted with an administrative permit in accordance with Chapter 20.100 of the Municipal Code. An administrative permit issued by the Director of PBCE for the uses identified with A* in Table 4.01.1 shall be subject to the conditions identified in Sheet 5.02 to this GDP. For uses that do not meet the conditions below, that use shall be subject to the use permit identified in Table 20-140 of the Municipal Code for the Downtown Commercial Zoning District as of the effective date of the Downtown West PD Zoning District, unless stated otherwise.

Compliance with the conditions identified in Sheet 4.02 shall be the responsibility of the permittee of the administrative permit. In the event of noncompliance with a condition required under an administrative permit, the Director of PBCE may revoke, suspend or modify the administrative permit or otherwise enforce the requirements of the administrative permit pursuant to the remedies available to the City under the San Jose Municipal Code.

In addition to the conditions identified in Sheet 4.02, the Director of PBCE may impose reasonable conditions of approval related to the operation of the specific use that is subject to the administrative permit to protect the health and safety of the community.

An administrative permit issued by the Director of PBCE for the uses identified with A* in Table 4.01.1 may be time-conditioned, as appropriate, by the Director of PBCE, however, in no event shall the term of an administrative permit be less than 5 years, with option for a 5 year extension. The permit holder may seek renewal of a time-conditioned administrative permit by filing a request for renewal to the Director of PBCE. A request for renewal must be filed 90 days prior to the expiration of the administrative permit. Once a renewal application has been filed, the expiration date of the administrative permit is automatically extended until either the issuance or denial of the application for renewal. Consideration of a request for renewal shall be based on a rebuttable presumption that the use as permitted by the administrative permit is in full compliance with all conditions, laws and ordinances. The presumption may be rebutted by substantial evidence of noncompliance with any condition of any prior permit or law or ordinance, or by evidence of any changed condition in the neighborhood, or by evidence that the continued use creates a nuisance , or an impairment of public peace, health, safety, morals or welfare.

Off-Sale Alcohol Use Restrictions

An administrative permit shall be granted for off-sale alcohol establishments if the project sponsor meets the following criteria:

Location Restrictions. Off-sale alcohol establishments shall not be permitted within:

- 500 feet of a childcare center or school;
- 500 feet of a social service agency, residential care facility, residential service facility;
- 150 feet of an existing residential use. Residential uses developed as part of the Project shall be exempt from this restriction so long as the project sponsor can establish that the operation of the proposed premises will not interfere with the quiet enjoyment of the property by residents by adhering to the permitted hours of operation and other nuisance-control measures identified in the GDP.

Adjacency restriction to any such use. Off-sale alcohol establishments for full range of alcoholic beverages shall not be located within 500 feet of another such use, with a total of no more than four such uses within a thousand foot radius of the proposed location. Alcohol off-sales for beer and/or wine only may be adjacent so long as no more than three such establishments are within a 500-foot radius. This condition shall not apply to alcohol off-sales as an incidental to a winery, brewery, or distillery.

A conditional use permit shall be required for alcohol off-sales (beer and/or wine, or full range of alcoholic beverages) that does not satisfy the requirements above.

Live Entertainment

A live entertainment use is permitted if the following requirements are met:

- The use is located on blocks D4, D5, D6, and/or within pavilion buildings in the open space (denoted in Sheet 6.03).
- Live music is permitted. Live music is permitted. The use is permitted to operate up to 6 days per week between the hours of 11 a.m.–3 p.m. on Wednesday through Sunday between the hours of 7 pm –11 p.m. Thursday through Saturday.
- Up to eight events per week are permitted.
- The venue(s) would total, in aggregate, up to 12,000 gsf, with a maximum (aggregate) capacity of approximately 500.

Auditorium

Auditorium(s) are permitted on block E1 or block F1-F6 in this Zoning District. If contemplated in another location, an administrative permit shall be granted so long as the venue(s) have a maximum capacity of up to 2,000 visitors or attendees.

Drinking establishment Restrictions

An administrative permit shall be granted for drinking establishments if the project sponsor meets the following criteria:

Location Restrictions. Drinking establishments shall not be permitted within 500 feet of a school.

Adjacency restriction to any such use. Drinking establishments shall be limited to the following number and frequency:

- North of W. Santa Clara Street and South of Park Avenue: No more than three such establishments within a 500-foot radius.
- Between W. Santa Clara Street and Park Avenue: No more than four such establishments within a 250-foot radius
- Radii that extend beyond the boundaries defined above shall not restrict the number of such facilities in the geographical areas described.

Alcohol Service and Sale. Alcohol service shall be conducted in full compliance with the issued ABC license.

Outdoor Storage. No outdoor storage is allowed or permitted unless designated on the approved plan set.

Outdoor drinking areas. Outdoor areas serving alcohol shall not be permitted within 150 feet of an existing residential use outside the Project. Outdoor seating areas may be permitted within 150 feet of residential uses developed as part of the Project. Outdoor areas serving alcohol shall be closed to the public by 10:00 p.m Sunday to Thursday and by midnight Friday and Saturday.

Hours of Operation: Drinking establishments shall not be open to the public before 11:00 a.m. on all days and shall not be open past midnight Sunday to Thursday and past 2:00 a.m Friday and Saturday. Drinking establishments within 150 feet of existing residential uses shall not be open past 10:00 p.m. Sunday to Thursday and past midnight Friday and Saturday.

Amplified music. Outdoor areas for entertainment, including areas with roof openings, shall not be allowed where noise adversely impacts the surrounding area. Hours of operation and/or amplified sound shall not be permitted after 10:00 p.m. Additional conditions may be imposed such as direction of speakers, and sound level restrictions.

Nuisance. This use shall be operated in a manner that does not create a public or private nuisance, as defined in the Municipal Code. Any such nuisance shall be abated immediately upon notice by the City.

Noise and Acoustics. The permittee shall prevent disturbing or unreasonable noise which adversely impact neighboring properties. Ambient music provided for the listening enjoyment of customers is exempted.

Anti-Graffiti. The permittee shall remove all graffiti from buildings, fences, and wall surfaces within 48 hours of defacement.

Anti-Litter. The site and surrounding area shall be maintained free of litter, refuse, and debris. The operator of the proposed use shall clean the public right-of-way immediately adjacent to the subject site before 8:00 am each day, unless it is a participant in a Property Business Improvement District which provides such sidewalk cleaning services for the neighborhood in the vicinity of the project site, including the immediately adjacent public right-of-way. Mechanical equipment used for outside maintenance, including blowers and street sweepers may not be used between 10:00 p.m. and 6:00 a.m. daily.

A special use permit shall be required for a drinking establishment that does not satisfy the requirements above.

Taproom or Tasting Room and Off-Sale of Alcoholic Beverages in Conjunction with a Winery, Brewery, or Distillery

An administrative permit shall be granted for taproom or tasting room and off-sale of alcoholic beverages in conjunction with a winery, brewery or distillery if the project sponsor meets the criteria identified in Section 20.80.478 of the Municipal Code, with the exception of the criteria listed below.

Hours of Operations: Taprooms or tasting rooms shall not be open to the public before 11:00 a.m. on all days and shall not be open past midnight Sunday to Thursday and past 2:00 a.m Friday and Saturday. Taprooms or tasting rooms within 150 feet of existing residential uses shall not be open past 10:00 p.m. Sunday to Thursday and past midnight Friday and Saturday.

Outdoor Vending

An outdoor vending facility that meets the following criteria shall not require an administrative permit:

Height. The maximum height of any portion of a vending facility, including any folding or collapsible appendage, shall not exceed ten (10) feet.

Width. The maximum width of a vending facility or cart, including any folding or collapsible appendage, shall not exceed ten (10) feet.

Length. The maximum length of a vending facility or cart, including any folding or collapsible appendage, shall not exceed twenty-four (24) feet.

Distance from Intersections. No vending facility shall be placed on or operate within the boundaries of a hypothetical triangular area described by the point of intersection of the curb-line extensions of perpendicular or nearly perpendicular streets, and a line joining two points thirty (30) feet from that point of intersection, measured along those curb-lines.

Distance from Streets. No vending facility shall be placed or operate at a location less than fifteen (15) feet from any street right-of-way.

Distance from Freeway Ingress and Egress Ramps. No vending facility shall be placed or operate less than one hundred (100) feet from a freeway on or off ramp.

Distance from Driveways. No vending facility shall be placed or operate less than twenty (20) feet from a driveway curb cut.

Distance from other Vending Facilities. No vending facility shall be placed or operate within five hundred (500) feet of another vending facility operating on private property.

Distance from Residences. No vending facility shall be placed or operate within one-hundred fifty (150) feet of a residence.

Paved Locations. No vending facility shall be placed or operate on a parcel or lot unless the surface is paved with asphalt, macadam or concrete.

Mobility of Operations. No vending facility shall be placed within or operate from a structure or stand which is attached to or bears directly upon or is supported by the surface of the site. Vending facilities shall operate exclusively from vehicles or carts or other conveyances which are fully mobile and have operational wheels in place at all times. Vending facilities shall not connect to temporary or permanent on-site water, gas, electricity, telephone or cable sources.

Sanitary Facilities. Persons operating vending facilities shall have unrestrained right of access to toilet and handwashing facilities located on site within reasonable distance of the vending facility’s approved location.

Setback. Vending facilities shall be located not less than fifteen (15) feet from a parcel or lot line or a public right-of-way.

Parking.

- 1. Vending facilities shall not be located in or obstruct parking spaces required by this title for the operation of any other concurrent use.
- 2. Vending facilities shall provide a minimum of three (3) parking spaces, located on the host site and within two hundred (200) feet of the vending facility’s approved location.

Private Property. Outdoor Vending facilities on private property must have written permission of the property owner

An administrative permit shall be required for an outdoor vending facility that does not satisfy the requirements above.

Farmers’ Market

An administrative permit shall be granted to a general farmers' market, comprising sixteen or more certified producers or producers of agricultural products that meets the following criteria:

- All operations shall fully comply with all federal, state and local laws, regulations and guidelines including without limitation those applicable to the certified farmers' market operations, including without limitation the California Health and Safety Code, the California Food and Agricultural Code, and all regulations and guidelines promulgated by the State of California and the County of Santa Clara thereunder, as the same may be amended from time to time;
- All activities, and the duration of those activities, shall first have been approved and authorized by the owner of the real property on which those activities are planned to occur;
- Any and all permits or approvals from the building division or fire department of the City for any tents or other temporary membranes shall have first been obtained prior to the commencement of use of such tents or temporary membranes;

- All certified farmers' markets, including small certified farmers' markets, and each certified producer or producer of agricultural products shall accept as a form of payment for eligible goods or products sold, or shall allow a legitimate and duly authorized third party to occupy space within the certified farmers' market area to operate a redemption program for, CalFresh electronic benefits transfers, as well as federal farmers' market nutrition program coupons (both through the special supplemental nutrition program for women, infants and children as well as the seniors farmers' market nutrition program), all in a manner allowed by, and in conformance with, both federal and state laws and regulations, as those laws and regulations may be amended from time to time, and said legitimate and duly authorized third party redemption program operator who is not a certified producer, producer or vendor shall not constitute a certified producer, producer or vendor for purposes of Municipal Code Section 20.80.255A.1. and/or Section 20.80.255C. ; and

- All certified farmers' markets, including small certified farmers' markets, and each certified producer, producer and/or other vendor shall completely remove all equipment, merchandise and other materials, including without limitation waste materials, from the site upon of the conclusion of their respective activities, excepting such interior storage of equipment, merchandise or materials as may be allowed on the site with the permission of the owner or operator of the site.

In addition to the operational requirements above, a certified farmers’ market (general) shall conform with the following operational requirements:

- Shall not operate more than two days per calendar week at the same location;
- Shall neither operate, including any setup or breakdown activities, more than six hours per day nor between the hours of 9:00 p.m. and 7:00 a.m.;
- Shall operate only on paved surfaces and not on landscaped areas nor adversely impact any landscaping or landscaped areas;
- Shall not offer for sale or otherwise distribute any alcoholic beverage;
- Shall not use amplified sound for any purpose;
- Shall operate as a physically cohesive collection of vendors on a site, excepting only those limited physical separations as may be required by state or local law for vendors of non-agricultural products located near a certified farmers' market;
- Shall not obstruct the safe flow of vehicular or pedestrian traffic on or around the site;
- Shall have secured with the property owner of the site on which the certified farmers' market plans to operate, and prior to the commencement of any operation of the certified farmers' market, provision for all of the following services in a manner that comports with state and local laws and regulations, as the same may be amended from time to time:

- Refuse disposal and sufficient trash and recycling receptacles within the area of the certified farmers' market;
- Litter removal within and within three hundred feet of the boundaries of the certified farmers' market; and
- Access to adequate sanitary facilities, including restrooms and/or portable sinks and toilets.

A special use permit shall be required for a certified farmers market that does not satisfy the requirements above. A small certified farmers’ market, with fifteen or fewer certified producers/ producers of agricultural products shall not require an event or development permit.

4.02

Use Regulations Downtown West Mixed-Use Plan

10/07/2020

Prohibited Uses

The following uses are prohibited within the Downtown West PD Zoning District:

- Medical cannabis collective
- Medical cannabis collective dispensary site only
- Medical cannabis business
- Non-medical cannabis business
- Pawn shop or pawn broker, incidental to a retail jewelry store
- Payday lending establishment

Accessory Uses

Accessory uses are secondary or ancillary uses that are supportive of, compatible with, or subordinate to the primary use of a structure or designated open space use. The DWDSG establishes standards for the locations and intensities of accessory uses.

Interim Uses

Interim uses are uses permitted during the time prior to or concurrent with development of the property within the Downtown West PD Zoning District. Types of Interim Uses include, but are not limited to, surface parking, arts studios, arts production, arts programming, retail, food and beverage, maker spaces, urban agriculture, creative and small-scale offices, event spaces, community uses, recreation, and entertainment uses. The Interim Uses identified below may be permitted in the Downtown West PD Zoning District upon the Director of PBCE's issuance of a Downtown West Use Certificate or a Downtown West Use Permit.

Interim Uses Requiring a Downtown West Use Certificate

A Downtown West Use Certificate is a ministerial confirmation of compliance with applicable provisions of this General Development Plan, DWIS and DWDSG and shall be applicable to the following interim uses.

- Mobile food carts
- Retail establishments, including pop-up retail and vendor markets
- Small scale conferences and educational events
- Markets and fairs: including flea markets, craft markets, vintage shows, antique shows, booths for charitable / patriotic / welfare purposes
- Food and beverage
- Indoor and outdoor gyms and workout areas
- Parking lot
- Parks and gardens: including pocket parks, dog parks, playgrounds, community gardens, or nurseries
- Community spaces
- Site management services, administrative functions, drop-in center and customer amenities
- Retail or sales office incidental to new development
- Farmers market, subject to the conditions for a farmers’ market as described above
- Open air sales of agriculturally-produced seasonal decorations (Christmas trees and Halloween pumpkins)
- Art/Culture Exhibitions: including outdoors art galleries, installation art, sculpture park museums, immersive experiences, art installations,
- Workshop and studio spaces
- Temporary central utility plant

Interim Uses Requiring a Downtown West Use Permit

The Interim Uses listed below may be permitted upon the Director of PBCE's issuance of a Downtown West Use Permit and subject to the Director of PBCE's determination that compliance with CEQA has occurred in connection with the proposed Interim Use. The Director of PBCE may impose the following in relation to the issuance of a Downtown West Use Permit:

- Conditions reasonably necessary to avoid or mitigate effects on the environment and/or the surrounding community; and
 - Conditions reasonably necessary to ensure compatibility with adjacent uses and to avoid interference with the orderly development of the PD Zoning District.
- The interim uses requiring a Downtown West use permit are as follows:
- Classroom / school
 - Educational activities, including but not limited to after-school day camp and summer camps
 - Amusement: small festivals, circuses, amusement fairs and rides, musical and theatrical concerts and performances, and other live entertainment.
 - Recreational facilities including urban beaches, riding center, or sports stadium
 - Drinking establishments, and taproom or tasting rooms in conjunction with a winery, brewery or distillery
 - On-site assembly and production of goods in enclosed or unenclosed temporary structures
 - Alternative and accessory living structures including mobile park trailers, recreational vehicles, or other temporary housing
 - Storage facility, including battery storage
 - Job training center

Non-Designated Interim Uses

Additional Interim Uses that are not identified in this General Development Plan may be permitted pursuant to Section 20.60.050 of the Zoning Code.

Temporary Uses

Temporary Uses are short term transitory uses that may occur on the property at any time. Each of the Temporary Uses listed below shall be permitted throughout the Downtown West PD Zoning District for a duration not to exceed 2 years, subject to additional 1-year extensions. In addition to the Temporary Uses identified above, the Director of PBCE may authorize the Interim Uses identified on this Sheet 4.03 to be allowed as Temporary Uses if such uses do not exceed a duration of 2 years and obtain the necessary Downtown West Use Certificate or Downtown West Use Permit.

The Temporary Uses identified below may be permitted in the Downtown West PD Zoning District upon the Director of PBCE's issuance of a Downtown West Use Certificate or a Downtown West Use Permit. Any of the Temporary Uses identified below that will not exceed a duration of 45 days may be allowed following the issuance of a Special Event Permit.

Temporary Uses Requiring a Downtown West Use Certificate

A Downtown West Use Certificate is a ministerial confirmation of compliance with applicable provisions of this General Development Plan, DWIS and DWDSG Section 3.5.

- Rental or sales office incidental to new development
- Site management service, administrative functions, drop in center and customer amenities and associated loading
- Parking lots
- Parks and Gardens, including pocket parks, dog parks, playgrounds, community gardens plant nurseries, and urban farms

Temporary Uses Requiring a Downtown West Use Permit

The Temporary Uses listed below may be permitted in the PD Zoning District upon the Director of PBCE's issuance of a Downtown West Use Permit and subject to the Director of PBCE's determination that compliance with CEQA has occurred in connection with the proposed Temporary Use. The Director of PBCE may impose the following in relation to the issuance of a Downtown West Use Permit:

- Conditions reasonably necessary to avoid or mitigate effects on the environment and/or the surrounding community; and
 - Conditions reasonably necessary to ensure compatibility with adjacent uses and to avoid interference with the orderly development of the PD Zoning District.
- The temporary uses requiring a Downtown West use permit are as follows:
- Job Training Centers
 - Educational activities, including but not limited to after-school day camp, summer camp and other activities
 - Storage sites
 - Automobile and truck parking and loading including rideshare drop off and pick up zones
 - On-site assembly and production of goods in enclosed or unenclosed temporary structures
 - Alternative Living Situations: including construction trailer parks, Mobile park trailers, recreational vehicles, or other temporary housing for workforce employment

Table 4.03.1 Summary of Use Permit Process

	APPROVAL / USE PERMIT	DURATION	PROCESS	APPROVAL BODY
Permanent Uses ¹	Permitted	Unrestricted	Permitted uses will be identified during or after the Zoning/Design Conformance Review and shall be permitted as of right if such use is consistent with the General Plan, GDP, and PD Permit.	N/A
	Administrative	Minimum of 5 years with option for a 5 year extension, extended durations may be conditioned by Director of PBCE	Refer to Muni Code, Title 20, Chapter 20.100, Part 10 for application and review process. The term of an Administrative Permit shall be governed by the Downtown West PD Zone.	Director of PBCE
	Special Use	May be time-conditioned, as appropriate, by the Director of PBCE but shall be a minimum of 5 years with an option to extend the permit for an additional 5 years.	Special uses shall require approval of a Planned Development Permit. Refer to Muni Code, Title 20, Chapter 20.100, Part 8 (Planned Development Permit)	Director of PBCE
	Conditional Use	May be time-conditioned, as appropriate, by the Director of PBCE but shall be a minimum of 5 years with an option to extend the permit for an additional 5 years.	Conditional uses shall require approval of a Planned Development Permit. Refer to Muni Code, Title 20, Chapter 20.100, Part 8 (Planned Development Permit).	Director of PBCE
Interim Uses	Downtown West Use Certificate	Up to 5 years and subject to a 5 year extension	Interim Uses are permitted during the time prior to or concurrent with development of the site. The project sponsor or other applicant may obtain a Downtown West Use Certificate for a permitted interim use at any time prior to or concurrent with development of the site pursuant to the requirements of the General Development Plan.	Director of PBCE
	Downtown West Use Permit	Defined in Use Permit	Interim Uses are permitted during the time prior to or concurrent with development of the site. The project sponsor or other applicant may obtain a Downtown West Use Permit for a permitted interim use at any time prior to or concurrent with development of the site pursuant to the requirements of the General Development Plan.	Director of PBCE
Temporary Uses	Special Event Permit	45 days	A special event permit application shall be submitted, reviewed and issued pursuant to the City's special event permit process.	N/A (over the counter permit)
	Downtown West Use Certificate	2 years, with 1 year extension	Temporary Uses may occur at any time pursuant to the requirements of the General Development Plan. The project sponsor or other applicant may obtain a Downtown West Use Certificate for a permitted temporary use at any time pursuant to the requirements of the General Development Plan.	Director of PBCE
	Downtown West Use Permit	2 years, with 1 year extension	Temporary Uses may occur at any time pursuant to the requirements of the General Development Plan. The project sponsor or other applicant may obtain a Downtown West Use Permit for a permitted temporary use at any time pursuant to the requirements of the General Development Plan.	Director of PBCE

¹ Permanent land uses identified as permitted, administrative or conditional and special uses authorized through a planned development permit will be identified during or after the Zoning/Design Conformance Review process. Interim and temporary uses may be approved outside of the Zoning/Design Conformance Review process.

Existing Non-Conforming Uses

The City Council does not intend to cause through adoption of this GDP any uses or structures within the Downtown West PD Zoning District lawfully in existence as of the date of adoption of this GDP to become illegal. Accordingly, all such uses and structures, to the extent they do not conform to the requirements of this GDP and/or to a planned development permit issued pursuant to this GDP, are deemed legal non-conforming uses, or legal non-conforming structures, as applicable. To ensure consistency notwithstanding Section 20.150.030 of the Municipal Code, legal non-conforming uses and legal non-conforming structures within the Downtown West PD Zoning District are permitted as temporary structures or uses under this GDP subject to the conditions and limitations applicable to non-conforming uses and structures in Chapter 20.150 of the Municipal Code.

Table 5.01.1 List of Existing Assessor's Parcels

APN	APN
A Lot(s)	E Lot(s)
259-26-17	259-38-036
259-27-17	259-38-039
B Lot(s)	259-38-040
259-27-003	259-38-041
259-27-007	259-38-042
259-27-008	259-38-109
259-27-009 01	259-38-110
259-27-010	259-38-128
259-27-011	259-38-129
259-27-014	259-38-142
259-27-015	259-38-145
259-27-016	259-38-146
C Lot(s)	259-38-147
259-28-031	259-38-148
259-28-041	F Lot(s)
259-28-043	259-48-011
259-28-044	259-48-012
D Lot(s)	259-48-013
259-38-009	259-48-052
259-38-010	259-48-053
259-38-011	261-35-002
259-38-014	261-35-003
259-38-015	261-35-006
259-38-018	261-35-007
259-38-019	261-35-010
259-38-027	261-35-014
259-38-028	261-35-027
259-38-029	G Lot(s)
259-38-085	261-37-031
259-38-087	H Lot(s)
259-38-090	259-47-038
259-38-088	259-47-040
259-38-089	259-47-077
259-38-113	259-47-079
259-38-114	259-47-080
259-38-116	261-37-016
259-38-117	261-37-020
259-38-119	261-37-021
259-38-121	261-37-023
259-38-122	261-37-029
259-38-123	261-37-030
259-38-124	264-15-015
259-38-132	264-15-016
259-38-133	264-15-017
259-38-134	264-15-018
259-38-135	264-15-019
259-38-139	264-15-063
259-38-141	264-15-064
261-34-002	264-15-065
261-34-003	
261-34-004	
261-34-005	
261-34-006	
261-34-011	
261-34-023	
259-38-130	

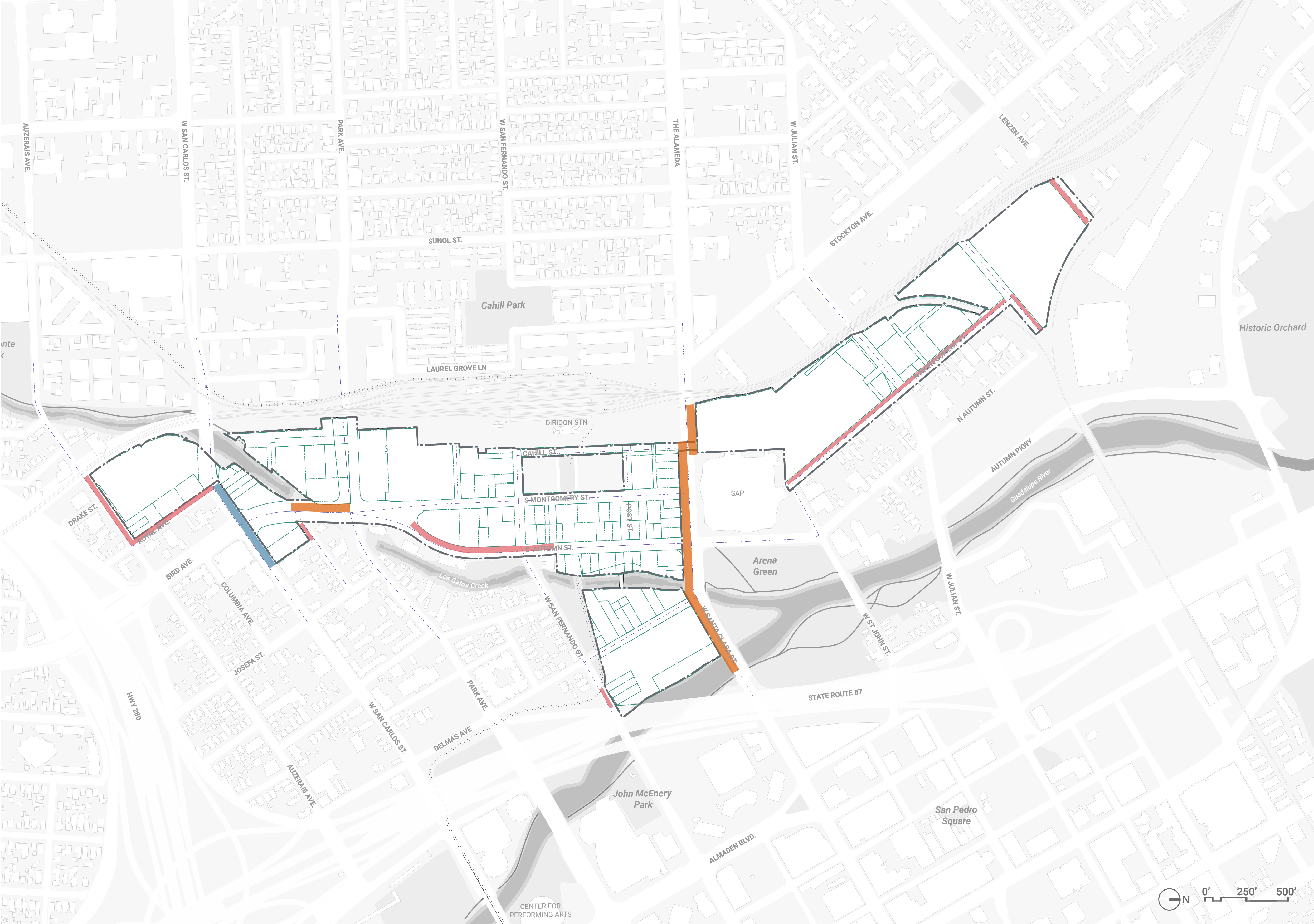


Figure 5.01.1 Existing Assessor's Parcels

Legend

--- Development Boundary

— Existing Parcels

... Existing Street Centerlines

Parcel Edge to Street Centerline Dimensions

30 - 40 feet

40 - 50 feet

50 - 60 feet

Existing Ordinance Trees, Waterways And Natural Features

Figure 5.02.1 depicts the location of existing ordinance-sized trees within the public right-of-way and the approximate location of existing ordinance-size trees on private property. The project proposes the removal of all existing trees within the public right-of-way and on private property and approximately 2,280 new trees will be planted throughout Downtown West. Street trees and plantings within the public right-of-way shall comply with the applicable standards in the DWDSG. Pursuant to Municipal Code Section 13.32.080, the Downtown West PD Permit shall serve as the tree removal permit for all existing street trees within Downtown West.

Note:

- 1. See Sheet 3.02 for setback requirements and exceptions.
- 2. Location of trees within the existing public right-of-way have been verified by a surveyor.
- 3. Location of trees on private property are approximate.
- 4. All trees approved for removal with a PD Permit shall comply with the City of San José's Standard Conditions of Approval (SCA) BI-2.

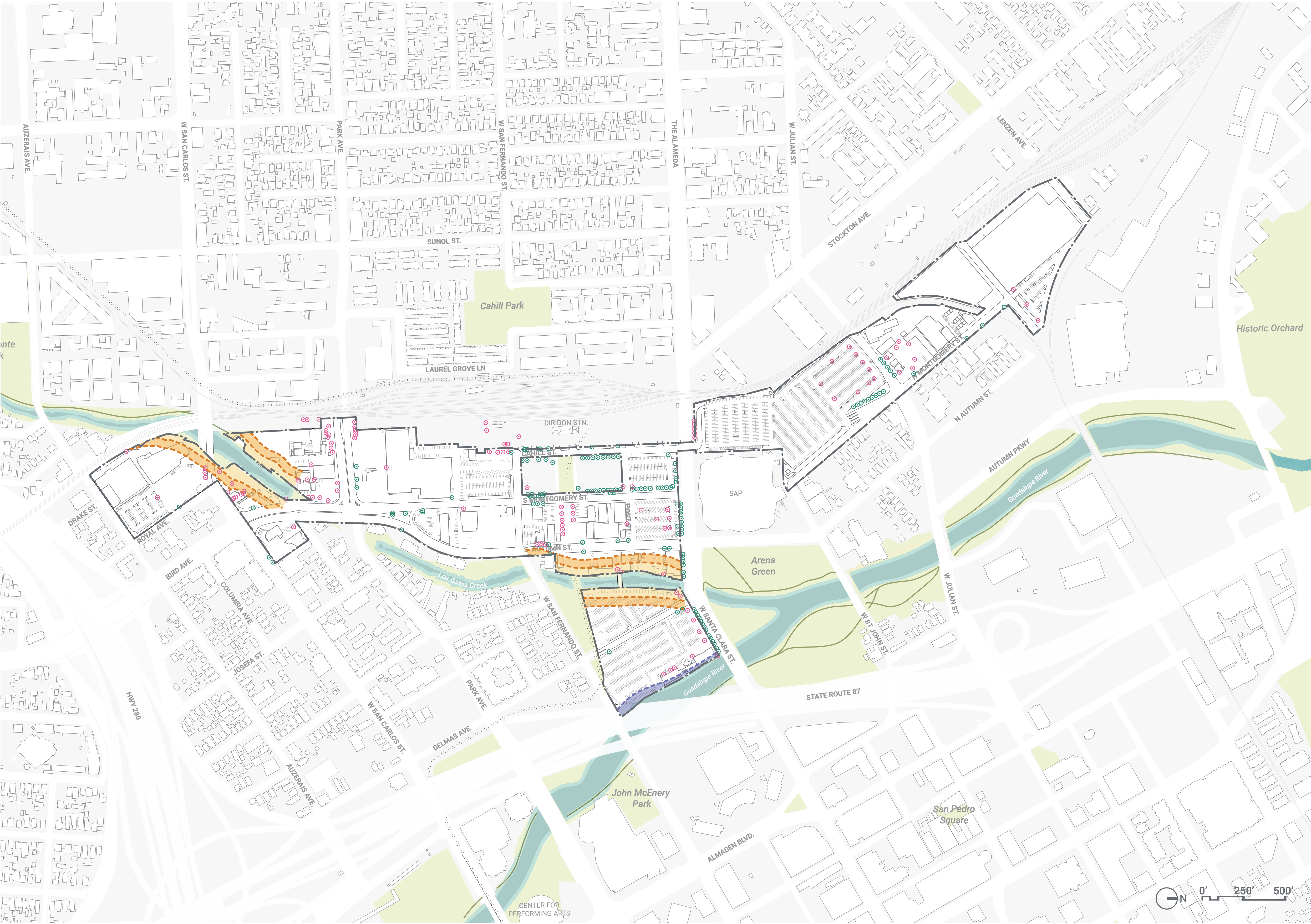


Figure 5.02.1 Existing Ordinance Trees, Waterways And Natural Features

Legend

- Project boundary
- Waterways/riparian corridor
- 50-Foot riparian setback along Los Gatos Creek¹
- 50-100-Foot ecological enhancement zone along Los Gatos Creek
- 30-Foot riparian setback along Guadalupe River¹
- Ordinance-Sized Trees within public right-of-way^{2,4}
- Ordinance-Sized Trees on private property^{3,4}

Land Use Plan

The proposed locations of land uses shown on Figure 6.01.1 and Figure 6.02.1 are approximate and depicts a potential design through implementation of the DWDSG. The uses allowed within the Downtown West PD Zoning District are identified in Sheet 4.01 of this General Development Plan, subject to the allowable transfers and conversions established in Sheet 3.03 to allow development in Downtown West to respond to potential unavailability of land, fluctuation in demand for building types, allowable changes to phasing, and related considerations.

The locations of land uses shall further conform to the applicable standards in the DWDSG regulating the location of land uses. The DWDSG permit a limited range of land use configurations that may differ from Figure 6.01.1. The proposed land uses in particular buildings and the allocation of square footage for each land use shall be provided during the Downtown West PD Zoning / Design Conformance Review process as further set forth in Sheet 8.01.

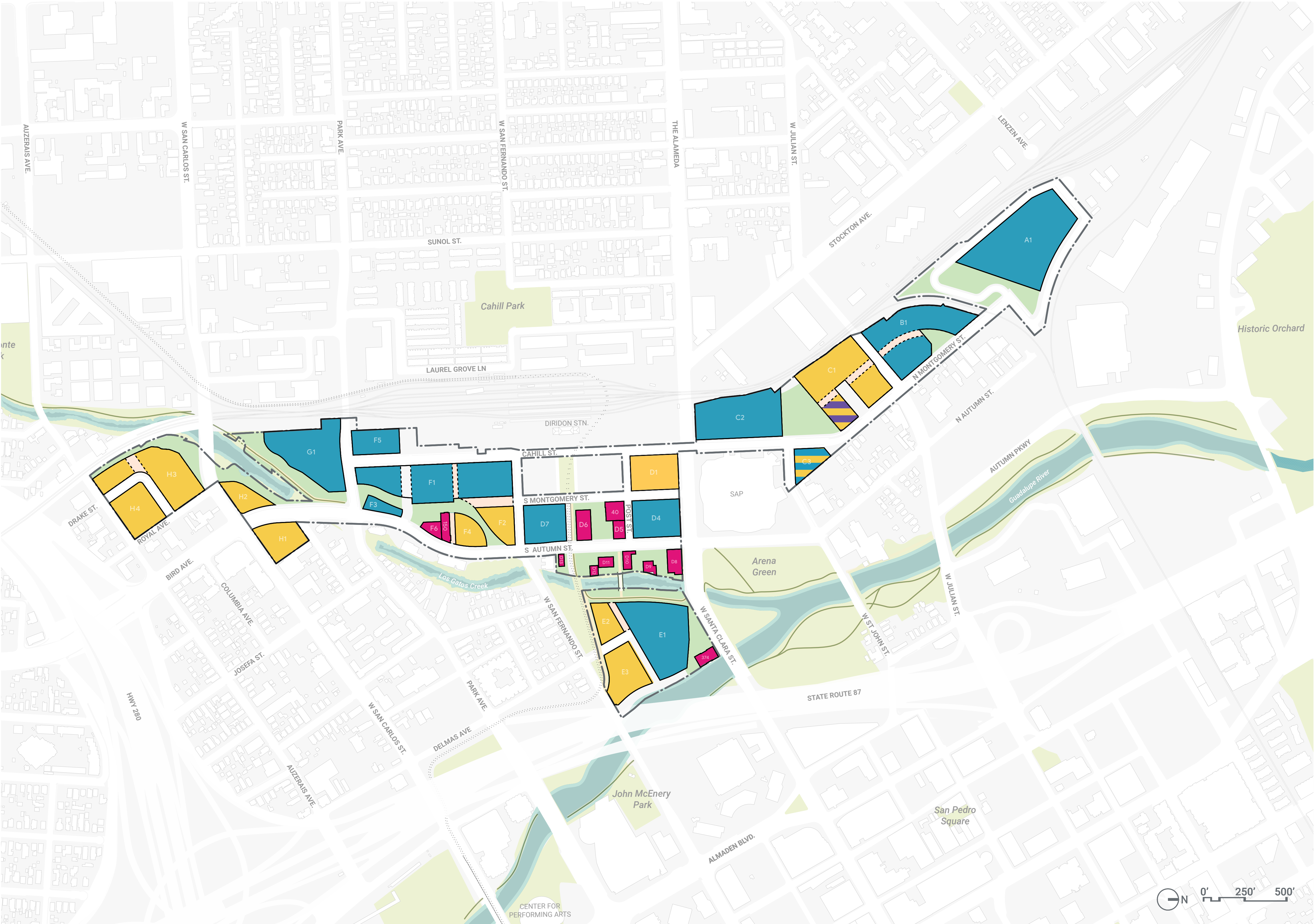


Figure 6.01.1 Conceptual Land Use Plan

- Legend
- Site Boundary
 - Office
 - Residential
 - Residential / Office
 - Residential / Hotel
 - Active Use
 - Open Space
 - Mid-block



Illustrative Site Plan

The figures and diagrams shown on Sheets 6.01 to 6.07 are provided for conceptual purposes only to show a potential design that implements the development standards applicable to the PD Zoning District. Actual design and implementation of the Project shall follow the DWDSG, which have been approved as part of the Planned Development Permit. Diagrams in this General Development Plan illustrate the general arrangement and relationships among future land uses, streets, and open spaces. These diagrams are subject to refinement by project sponsors pursuant to the Downtown West PD Zoning / Design Conformance Review process (see Sheet 8.01) and shall be approved pursuant to that process provided they substantially conform to this General Development Plan. Precise parcel configurations and boundary locations shown on Sheets 6.01 - 7.01 shall be established upon approval through the Downtown West PD Zoning / Design Conformance Review process and/or final maps processed pursuant to the requirements of this General Development Plan.

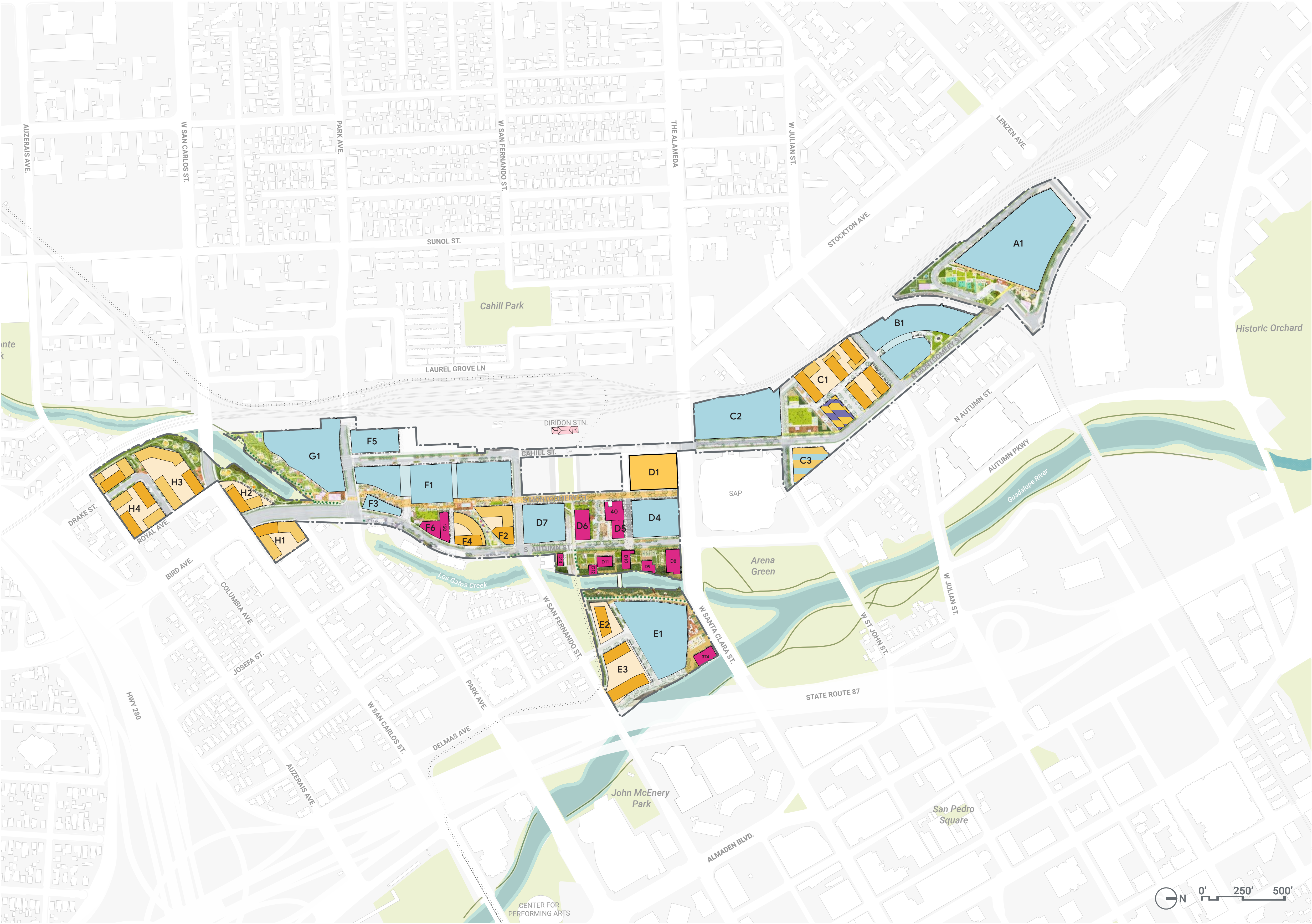


Figure 6.02.1 Illustrative Site Plan

Legend

- Site Boundary
- Office
- High-rise Residential
- Mid-rise Residential
- Residential / Office
- Residential / Hotel
- Active Use

Block Plan

The DWDSG includes standards and guidelines that permit a limited range of land use, massing, and circulation designs that may result in a block plan that differs from the one shown on Figure 6.03.1. Precise street boundaries and block layouts for a particular area may be adjusted and shall be identified as part of the applicable final map establishing development lots, streets and open space blocks. Mid-block passages and other open-space areas that will not be dedicated to the City pursuant to Municipal Code Title 19 will be shown on the associated final map with final locations to be described on easements, declarations or covenants providing for public access to be recorded after approval of the final map and prior to issuance of a certificate of occupancy for buildings on lots subject to such privately-owned areas.

The development standards for development within the Downtown West PD Zoning District are established in Sheet 3.02 of this General Development Plan. The standards regulating development of Sub-Area 1 are further defined in the DWDSG.

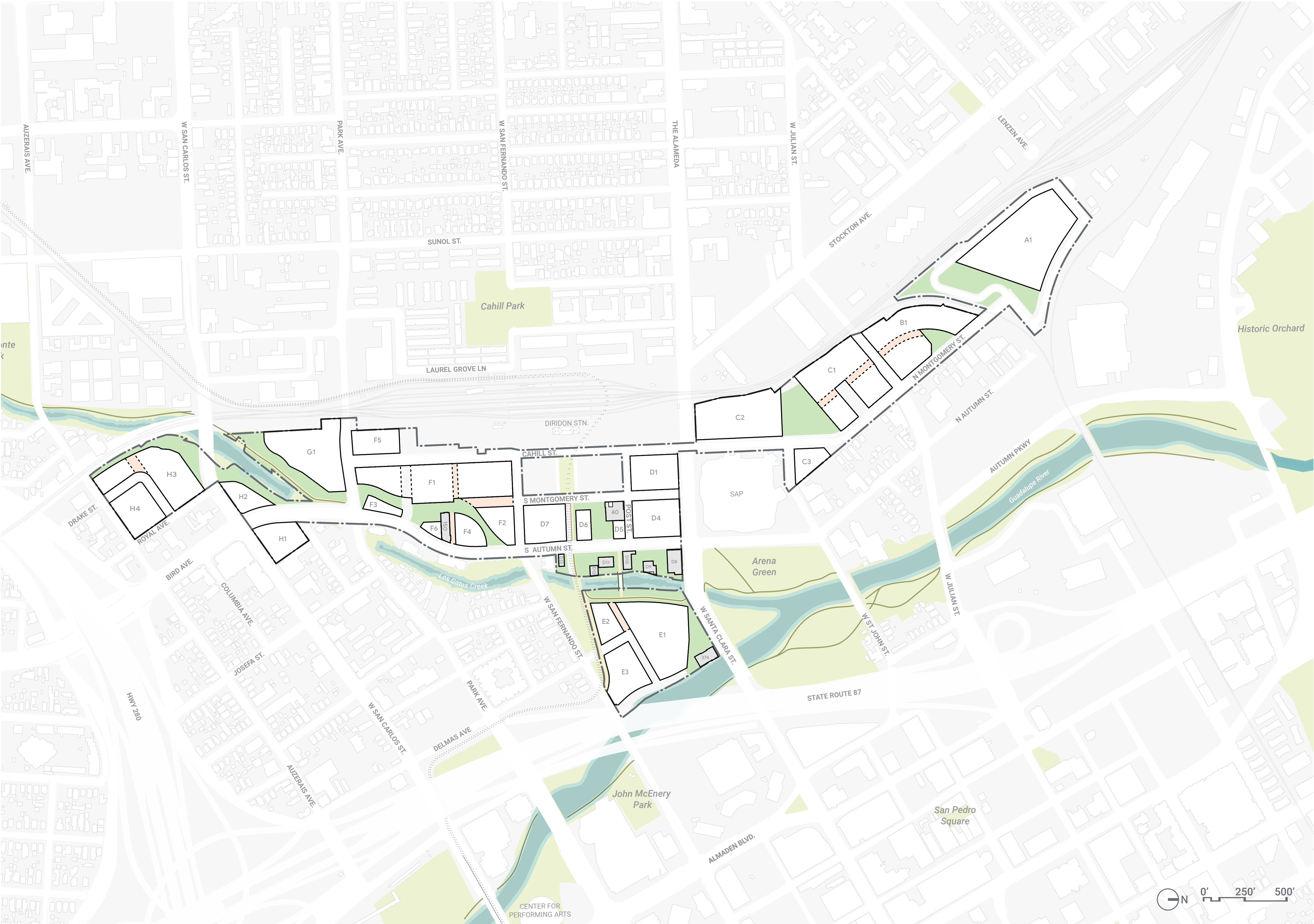


Figure 6.03.1 Conceptual Block Plan

- Legend
- Site Boundary
 - Block
 - Mid-block
 - Open Space
 - Existing Buildings within Project boundary
 - Existing Buildings outside Project boundary

Open Space Plan

Development within the Downtown West PD Zoning District include the following categories of open space:

- City-dedicated open space
- Project sponsor-owned open space
- Building open space

Development of open space within the Downtown West PD Zoning District shall be subject to the applicable standards set forth in the DWDSG, and the requirements of the Development Agreement and the exhibits thereto. The open space typologies for the Downtown West PD Zoning District are identified in Table 6.04.1

Table 6.04.1 Open Space Areas

Open Space	Acreage	Notes / Components
City-dedicated open space	4.80 Ac	City-dedicated park and Los Gatos Creek Multi-Use Trail
Project sponsor-owned open space	10.20 Ac	Privately-owned park, semi-public open space, Los Gatos Creek Riparian Setback, Los Gatos Creek Riparian Corridor within Project, and mid-block passage.
Total open space	15 Ac	
Building open space		Private open space (E.g balconies, private patios), semi-private open space (E.g. landscaping, setbacks), common private open space (E.g. rooftops, common courtyards)

The layouts, boundaries, and perimeters of the development lots and open spaces shown on Sheet 6.04 are illustrative. Provided the overall open space acreage identified in Table 6.04.1 is generally maintained, the precise size, location, and configuration of an open space may be adjusted and shall be identified and finally approved at the Downtown West PD Zoning / Design Conformance Review stage or the processing of a final subdivision map that includes the subject open space, whichever occurs first.

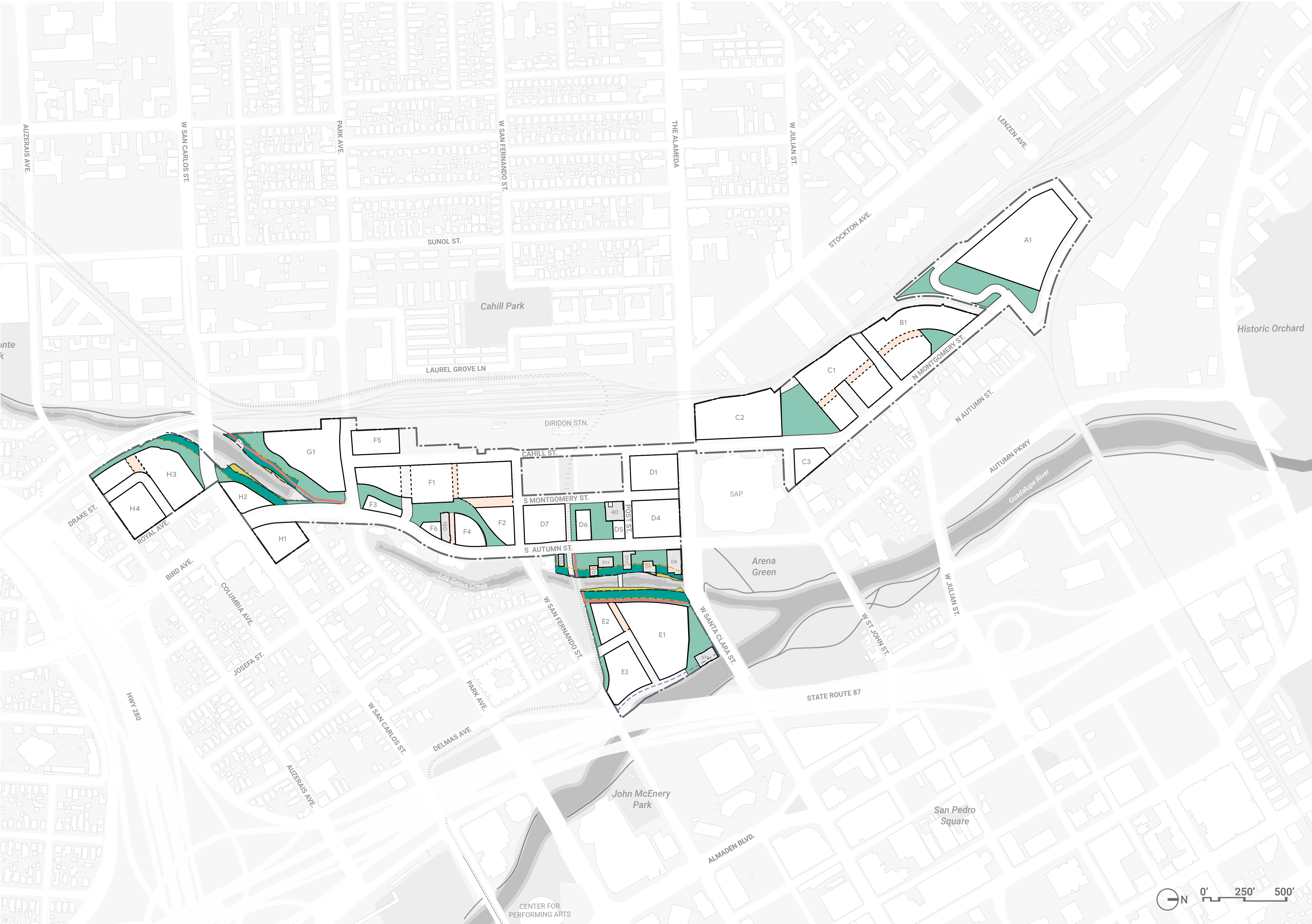


Figure 6.04.1 Illustrative Open Space Plan

Legend

- Riparian corridor¹
- 50' Riparian setback along Los Gatos Creek
- 30' Riparian setback along Guadalupe River

- City-dedicated park, Privately-owned park, or semi-public open space
- Los Gatos Creek Riparian Setback
- Los Gatos Creek Riparian Corridor within Project
- Proposed Los Gatos Creek Multi-Use Trail
- Mid-block passage (approximate total 1.57 acres)

Notes:

- ¹ The Project defines a riparian setback as the limitation of new construction within a certain distance from a riparian corridor or top of channel (TOC) wall. A riparian corridor is defined by the top of bank (TOB) or edge of existing riparian canopy, whichever is a greater distance from the creek.

Circulation Plan

Figure 6.05.1 generally depicts the street layout, the intended circulation pattern, and the relationships of public and private streets to development areas and open spaces. Table 6.05.1 identifies the total right-of-way width for each public street within Downtown West. Final street design for public streets, including the components of each public street, shall be described in improvement plans and approved as part of the final map and improvement plan process. The City Engineer may authorize minor deviations to public streets layouts as part of his or her approval of improvement plans and associated final maps. Proposals to change a street type or overall right-of-way width as identified on Table 7.03.1 require approval by the Director of PBCE, in consultation with the City Engineer, based on the Director of PBCE’s determination that the proposed modifications are consistent with the General Plan and Title 13 of the Municipal Code and incorporate new innovation; accommodate unanticipated transit, pedestrian, bicycle, or similar needs; or otherwise better achieve objectives of the General Plan’s Downtown Growth Area.

Streets Right-of-Way

Table 6.05.1 Street Right-of-Ways			
ID	STREET NAME	STREET TYPE	ROW (IN FEET)
A	W. Santa Clara St. (West of Los Gatos Creek)	Grand Boulevard	115
B	W. Santa Clara St. (East of Los Gatos Creek)	Grand Boulevard	110
C	W. San Carlos St.	Grand Boulevard	94
D	Bird Ave. (formerly S. Montgomery St.)	City Connector	108
E	S. Autumn St. (W. San Fernando St. to W. Santa Clara St.)	City Connector	75
F	S. Autumn St. (Park Ave. to W. San Fernando St.)	City Connector	76-78
G	S. Montgomery St.	Main Street	60
H	Park Ave.	On-Street Bike Primary Bike Facility	74-80
I	W. San Fernando St.	On-Street Bike Primary Bike Facility	60
J	Block A1 Ring Road (including Cinnabar St. and Lenzen Ave)	Local Connector	68
K	Cahill St. (W. Santa Clara St. to N. Montgomery St.)	Local Connector	80
L	Cahill St. (W. San Fernando St. to W. Santa Clara St.)	Local Connector	48-64
M	Cahill St. (Park Ave. to W. San Fernando St.)	Local Connector	76
N	N. Montgomery St. (Cahill St. to Cinnabar St.)	Local Connector	72
O	W. Julian St. (East of mid-block to N. Montgomery St.)	Local Connector	70
P	W. Julian St. (West of mid-block to underpass)	Local Connector	60
Q	W. St John St.	Local Connector	60-66
R	W. Post St. (New Street)	Local Connector	48
S	Royal Ave.	Local Connector	50-55
T	Auzerais Ave.	Local Connector	65

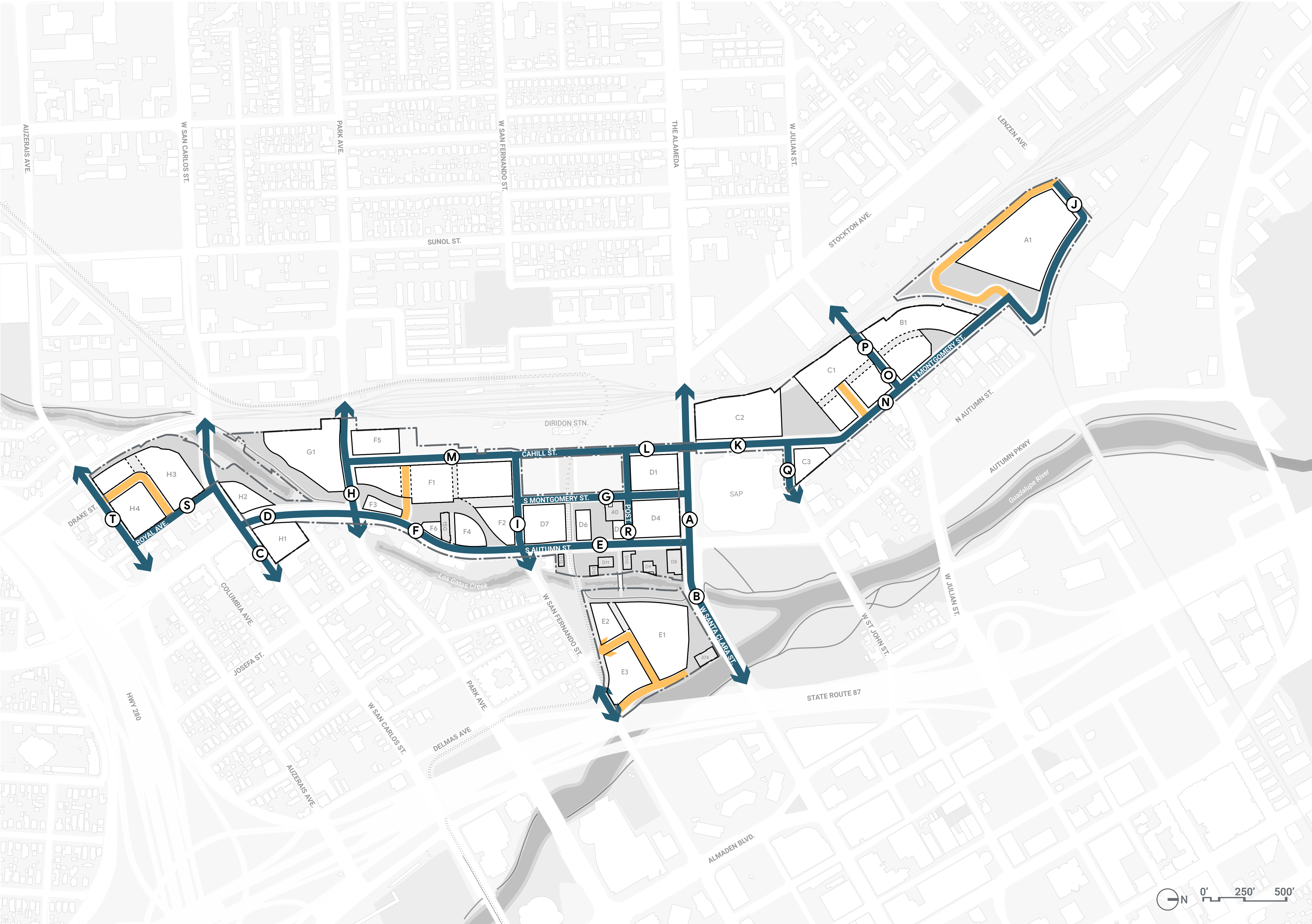


Figure 6.05.1 Conceptual Right-of-Way (ROW) Widths.

Legend

- Project Boundary
- Public Street
- Private Street

Notes:

1. Location, dimensions and arrangement of open space, streets and pedestrian mid-block passages are approximate and may change as vertical buildings are developed. Minimum standards will be defined in the Design Standards and Guidelines
2. Areas where the existing right-of-way will be narrowed, making available additional lands for development are zoned through this General Development Plan consistent with the immediately adjacent development lands.
3. Where landscaping is to serve a particular function, such as a screen or buffer, the particular function and landscape concept shall be identified. Where landscaping is proposed in the public right-of-way, the maintenance responsibility shall be specified.

Infrastructure

Downtown West proposes a district-systems approach to handle certain utilities, which may include building heating and cooling, electricity, wastewater treatment/recycled water service, and solid waste collection that would be handled through shared district-wide infrastructure. The proposed district systems, primarily comprising central utility plants and utility corridors or “utilidors,” would be located within infrastructure zones. Figure 6.06.1 identifies the proposed location of the infrastructure zones: a Southern Infrastructure Zone and a Northern Infrastructure Zone. The Northern Infrastructure Zone may be eliminated as design and planning progresses.

Figure 6.06.1 further identifies proposed locations of new utilidors. The utilidor layouts are illustrative and may be revised to reflect final development requirements. Various typologies are under consideration for the distribution of district utilities, including but not limited to direct bury, utility tunnel and within below grade privately-owned structures.

The Downtown West Improvement Standards, which were approved as part of the Downtown West PD Permit, establish utility infrastructure requirements within the Downtown West PD Zoning District. For further information, refer to the Downtown West Infrastructure Standards and Infrastructure Plan.

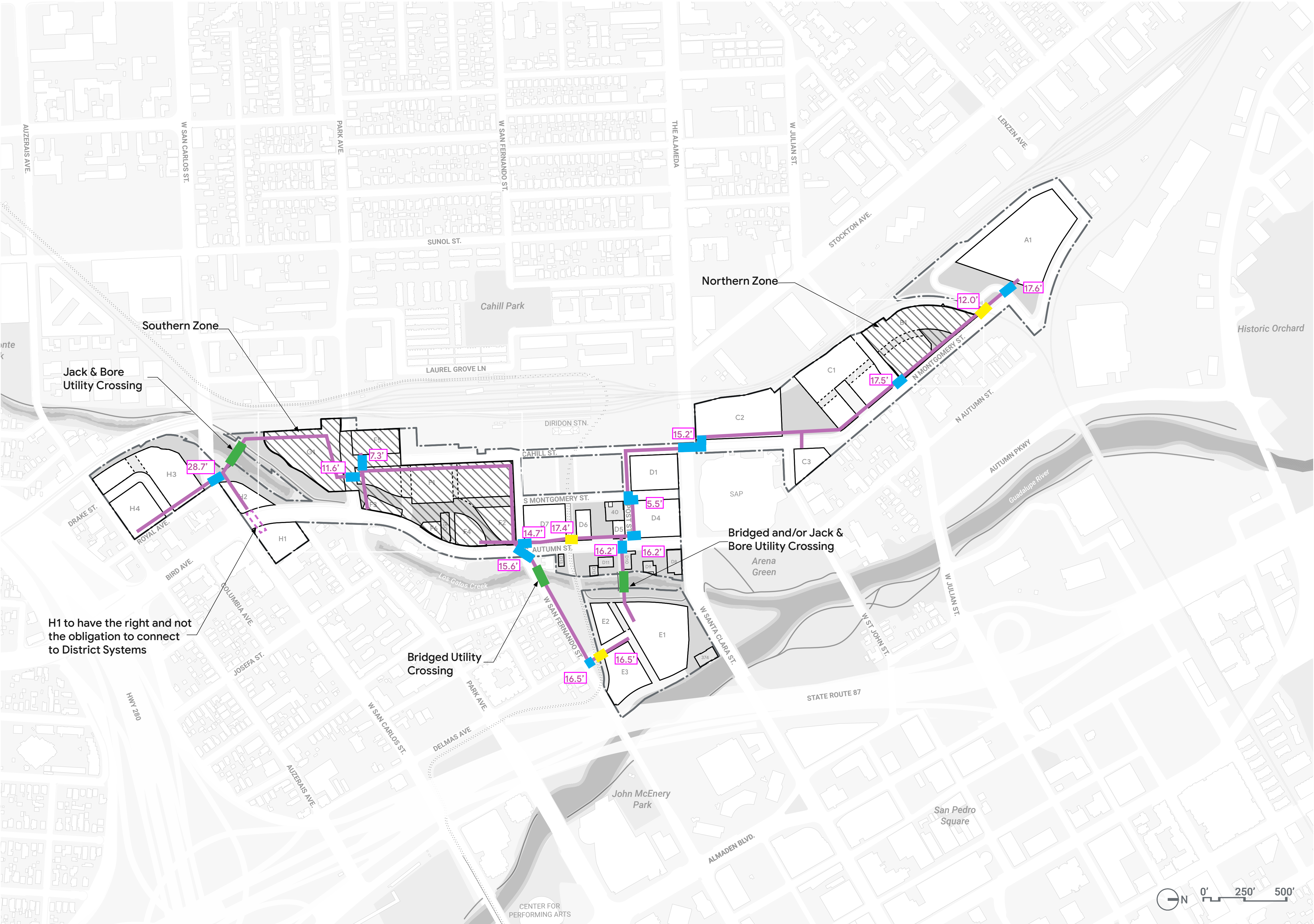


Figure 6.06.1 Proposed Utilidor Plan

- Legend
- Indicative Utilidor Route
 - Development Boundary
 - Block
 - Open Space
 - Indicative Location for Infrastructure Zones
 - Los Gatos Creek Crossing
 - Rail Crossing
 - ROW Crossing
 - Depth to Top of Corridor

Grading

The project sponsor will complete grading in phases as needed to enable development within Downtown West. Interim grading may also occur as necessary to maintain access to existing facilities. Figure 6.07.1 illustrates the proposed grading plan. Existing utility locations shown on Figure 6.07.1 are approximate and shown for reference only. The exact location of pipe structures will be determined following utility surveys.

Building finish floor elevations will be a minimum of 1-ft above the mapped 100-year flood plain or as required by City of San José Municipal Code. Finish floor elevations depicted are based on preliminary study. Grading alternatives are under review and finish floor elevations may be revised until the time of the Building Permit application.

New storm drain and creek outfalls will be constructed per City of San José requirements based on modeling previously prepared for the DSAP. Final modeling is required to confirm final storm drain design. Refer to Infrastructure Framework Section 11 - Storm Drain System for further information.

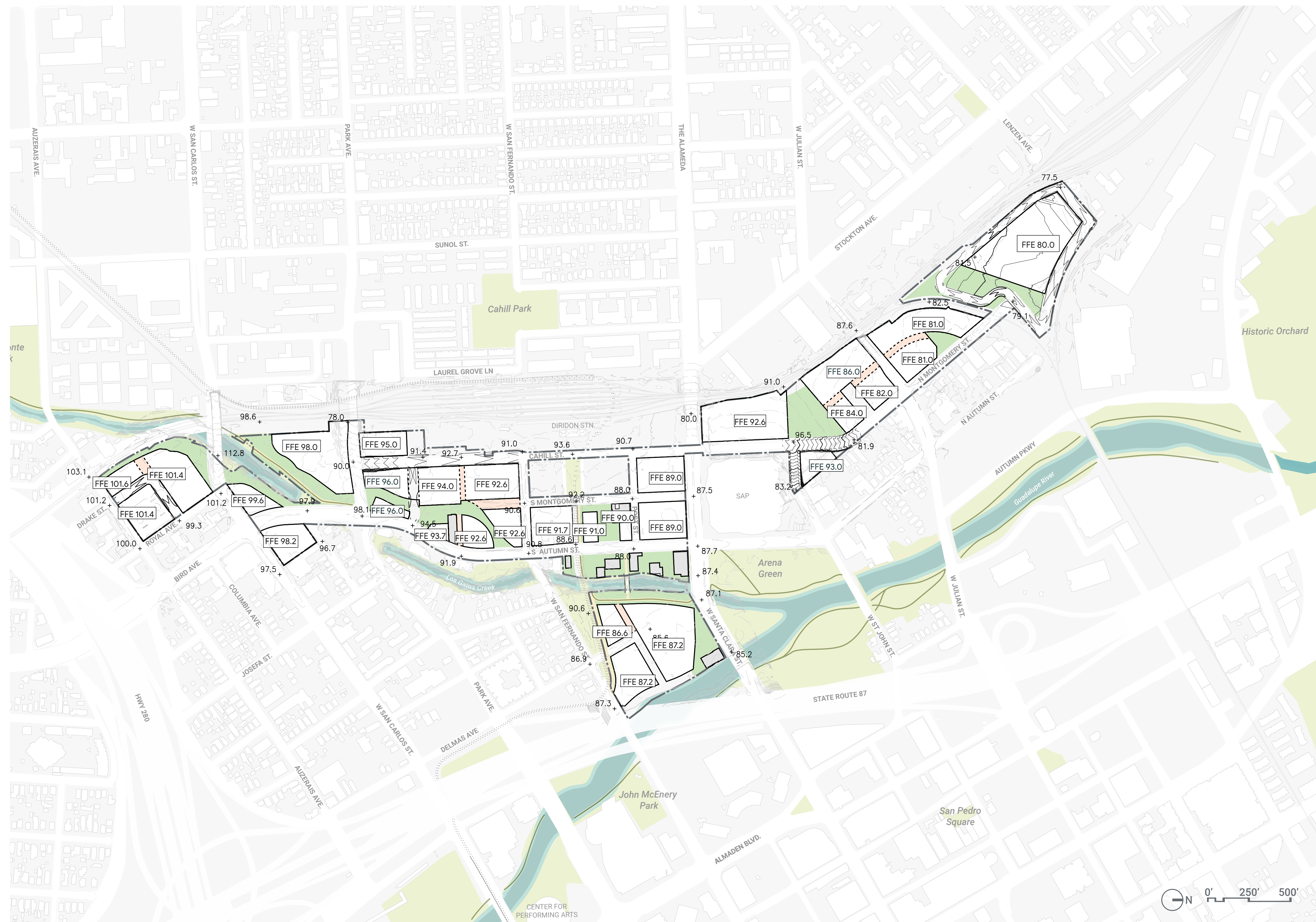


Figure 6.07.1 Conceptual Grading Plan

Legend

- XX.X + Existing Grade
 — Existing Contours
 — Proposed Contours
 FFE XX.X Conceptual finish floor elevations
 - - - Development Boundary
 Block
 Open Space

Conceptual Character Renderings

Sheet 7.01 is illustrative building elevations and the architectural style and character for buildings within the Downtown West PD Zoning District. Sheet 7.01 is intended only to provide examples of the size, shapes, massing, materials, and detailing of buildings that may be developed pursuant to this GDP and the Downtown West PD Permit, including the DWDSG. The DWDSG provides extensive and detailed guidance, including both mandatory development standards and qualitative non-binding guidelines, on site and building design, architecture, and relationship to adjacent streets, open spaces, and historic resources. Buildings, open spaces, and improvements proposed within the Downtown West PD Zoning District shall be reviewed under the Downtown West PD Zoning / Design Conformance Review procedure authorized by this GDP and implemented through the DWDSG (see Sheet 8.01).

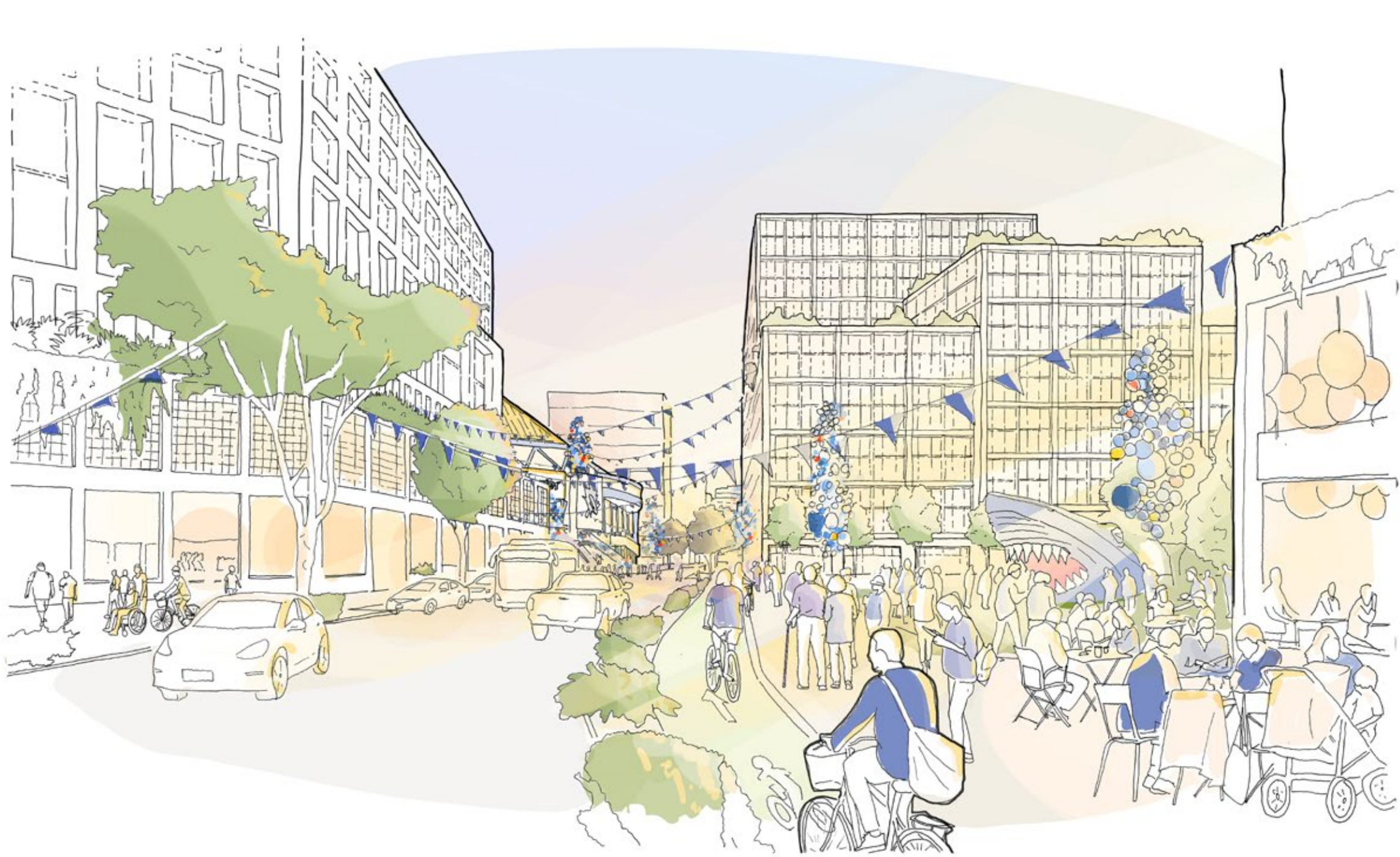


Figure 7.01.1 Conceptual Rendering of Proposed Project from North Montgomery Street Looking South Illustrating Proposed Building Form and Massing



Figure 7.01.2 Conceptual Rendering of Proposed Project from Creekside Walk at South Autumn Street Looking West Towards Diridon Station Illustrating Proposed Building Form and Massing



Figure 7.01.3 Conceptual Rendering of Proposed Project from the Meander looking north to South Montgomery Street Illustrating Proposed Building Form and Massing

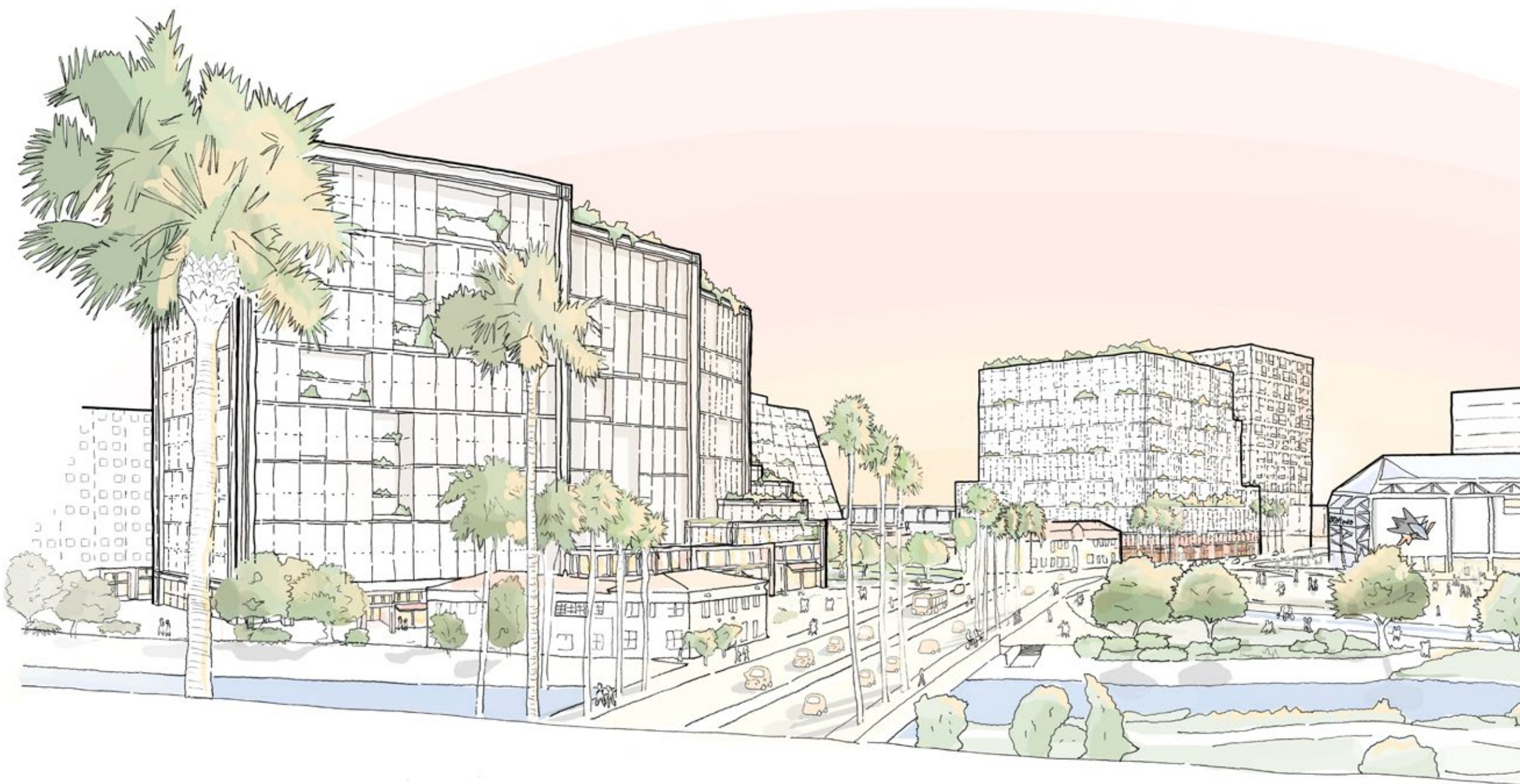


Figure 7.01.4 Conceptual Rendering of Proposed Project from State Route 87 Looking Southwest Illustrating Proposed Building Form and Massing

Downtown West Planned Development Zoning Subsequent Review Process

The Downtown West Planned Development Zoning District (PD Zoning District) establishes a subsequent review process for the design and development of vertical improvements, open space, and horizontal improvements. The General Development Plan (GDP), adopted as part of the ordinance approving the PD Zoning District, establishes the uses and requirements for development within the PD Zoning District. The Downtown West Planned Development Permit (PD Permit), which effectuates the PD Zoning District, includes (i) the Downtown West Design Standards and Guidelines (DWDSG) which establish design standards and guidelines for the area subject to the PD Permit, (ii) the Downtown West Improvement Standards (DWIS) which establishes standards for permitting certain horizontal improvements, and (iii) Conceptual Infrastructure Plan Sheets.

Vertical Improvement and Open Space Conformance Review Process

The GDP establishes the Downtown West PD Zoning / Design Conformance Review process (Conformance Review) to ensure that development of vertical improvements and open space within the PD Zoning District substantially conforms to the requirements of the GDP, applicable standards and guidelines of the DWDSG, the Downtown Design Guidelines (DDG), and other applicable planning documents.

The project sponsor shall submit a Conformance Review application for a particular area as design progresses. The GDP and DWDSG sets forth the application requirements for a Vertical Improvement and Open Space Conformance Review application, which includes, as applicable: (1) data charts providing information regarding the proposed land uses, open space program and acreage, and number of residential units; (2) site plans and/or drawings pertaining to the area of development; and (3) a completed Vertical Improvement or Open Space Compliance Checklist which identifies all DWDSG and DDG standards applicable to vertical improvements and open space.

During the Conformance Review process, the project sponsor may request the following types of relief from DWDSG standards: Minor Modification (deviation of less than 10% from a numerical standard or minor deviation from a qualitative standard), Exceptions (waiver of a DWDSG standard), Deferral (defer compliance of a DWDSG standard), and other authorized relief. The GDP and DWDSG establish the criteria and findings required for obtaining a Minor Modification, Exception, Deferral, or Amendment.

The project sponsor shall demonstrate that a proposed Conformance Review application is consistent with applicable requirements of the California Environmental Quality Act (CEQA). The Director of PBCE shall be responsible for making a determination regarding the appropriate environmental clearance for a Conformance Review application. Pursuant to an amendment to Title 21 (via the PD Zoning Ordinance), any determination made by the Director of PBCE that a Conformance Review application should be approved in reliance on the Downtown West Final Environmental Impact Report, and that no Supplemental or Subsequent environmental impact report is required to support that approval, shall be final and shall not be appealable to the Planning Commission, the City Council, or any other City decision making body.

The Director of PBCE shall have jurisdiction over a Conformance Review application if the Director of PBCE determines that a Conformance Review application can be approved in reliance on the Downtown West Final Environmental Impact Report, or a Supplemental or Subsequent Environmental Impact Report, if required, does not identify any significant effects. Pursuant to an amendment to Title 20 (via the PD Zoning Ordinance and a conforming amendment to Title 20), the Director of PBCE's decision on a Conformance Review application shall be final and shall not be appealable to the Planning Commission, the City Council, or other City decision making body. Prior to the Director of PBCE's decision on a Conformance Review application, there shall be an informational community meeting.

If the Director of PBCE determines that a Supplemental or Subsequent environmental impact report is required, the Planning Commission shall hold a hearing on the Conformance Review application and make a recommendation to the City Council regarding certification of the Supplemental or Subsequent environmental impact report. The City Council shall thereafter hold a public hearing to consider certification of the Supplemental or Subsequent environmental impact report for the subject Conformance Review application.

Horizontal Improvement Subsequent Review Process

The subsequent review process for horizontal improvements shall occur during the final subdivision mapping and improvement plan process. To provide for additional City oversight, the project sponsor will submit "preliminary" improvement plans to the City for review and comment as a precondition to submitting any phased final map application or 100% improvement plan set (Horizontal Preliminary Review Process). The Horizontal Preliminary Review Process will provide Public Works and other applicable City departments with an opportunity to review and comment on horizontal improvement plans to ensure conformance with the GDP and PD Permit (DWDSG Chapter 6: Mobility and other applicable standards in the DWDSG), the DWIS, Infrastructure Plan, and applicable standards and guidelines in the Complete Streets Design Standards and Guidelines. Comments made by Public Works and applicable City departments will be provided to the project sponsor.

The project sponsor shall apply for approval of subdivision maps and 100% improvement plans pursuant to the procedures described in Title 19 of the Municipal Code and the standards referenced in any ordinances governing the design and permitting of subdivisions and improvements applicable to the PD Zoning District. During the final subdivision mapping and improvement plan process, the project sponsor shall submit 100% improvement plans; a summary matrix documenting how each comment received as part of the Horizontal Preliminary Review has been addressed, or, why any particular comment has not been incorporated; final map checkprint; a matrix of the tentative map conditions and identify in writing how the proposed final map or other documents satisfy the conditions of approval; and a Horizontal Improvement Conformance Checklist which identifies all DWDSG standards applicable to horizontal improvements.

The City shall process, review and approve the improvement plans and final map pursuant to the procedures established in Title 19 of the Municipal Code and the standards referenced in any ordinances governing the design and permitting of subdivisions and improvements applicable to the PD Zoning District.

